

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 227

CRM-M-20895-2021

Date of decision : 29.09.2021

Satish and others

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Pawan Attri, Advocate, for the petitioners.
 Mr.Z.S.Chauhan, DAG, Haryana.
 Mr.P.K.Rana, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.245 dated 29.08.2020, registered under Sections 148, 149, 323, 506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Kaithal Sadar, District Kaithal, on the basis of a compromise dated 24.03.2021 (Annexure P-2) entered into between the parties.

On 02.07.2021 this Court had directed the parties to appear before the Trial Court within one month for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report whether the compromise effected between the parties is voluntary, without any threat or coercion and whether any of the parties has been declared proclaimed offender.

As directed, report dated 03.08.2021 from the Additional District & Sessions Judge, Kaithal, has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the compromise is genuine and without any threat or

coercion and that no proclamation proceedings are pending against any of the parties.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which the trial is at the early stage; the parties belong to the same village as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the petition and resultantly quash FIR No.245 dated 29.08.2020, registered under Sections 148, 149, 323, 506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Kaithal Sadar, District Kaithal and all proceedings arising therefrom, qua the petitioners.

29.09.2021
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No