

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Sr. No. 208(2)

CRM-M No. 27240 of 2021

Date of decision : 05.10.2021

Gourav

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Gurmail Singh Duhan, Advocate for the petitioner.
Mr. Zorawar Singh Chauhan, DAG, Haryana.
Mr. S. S. Gill, Advocate for respondent No.2.

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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.333 dated 20.06.2021 registered under Sections
120-B, 148, 149, 323 and 365 IPC at Police Station Pundri, district Kaithal
on the basis of a compromise dated 10.07.2021 (Annexure P-2) entered into
between the parties.

On 16.07.2021 this Court had directed the parties to appear
before the trial Court/Duty Magistrate on 29.07.2021 for recording of their
respective statements with regard to the compromise, who in turn was
directed to submit a report along with the recorded statements with regard
to the veracity of the compromise between the parties as also to apprise this
Court whether any other proceedings are pending against the petitioner.

As directed, report dated 27.09.2021 from the Judicial Magistrate First Class, 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 and that one more criminal case is pending against the petitioner.

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 complainant has not identified the accused; the matter is at the stage of investigation and 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.333 dated 20.06.2021 registered under Sections 120-B, 148, 149, 323 and 365 IPC at Police Station Pundri, district Kaithal and all proceedings arising therefrom qua the petitioner.

05.10.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No