

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

**CRM-M-33048-2021
Date of Decision : 15.11.2021**

Vijay Kumar @ Vijay and others Petitioners

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Karandeep Singh, Advocate
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Kuldip Singh, Advocate
for respondent No.2.

DEEPAK SIBAL (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.114 dated 08.07.2021 registered under Sections 452, 323, 148, 149 IPC at Police Station Guru Harsahai, Ferozpur on the basis of a compromise deed dated 07.08.2021 (Annexure P-2) entered into between the parties.

On 01.09.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 10.09.2021 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 all the accused are party to the compromise; any of them have ever been declared proclaimed offender(s) and there is no other criminal case pending against them.

As directed, report dated 13.09.2021 from the Sub Divisional Judicial Magistrate, Guruharsahai, 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; no proclamation proceedings are pending against the petitioners; only the petitioners are arrayed as accused in this case and that no other criminal case is pending against them.

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 offences are not heinous; the investigation is at the initial stage and 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.114 dated 08.07.2021 registered under Sections 452, 323, 148, 149 IPC at Police Station Guru Harsahai and all proceedings arising therefrom qua the petitioners.

15.11.2021
mamta

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No