

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 239

CRM-M-33410-2021

Date of decision : 11.11.2021

Jagmeet Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Aman Dhir, Advocate, for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

Mr.Lalit Goyal, Advocate, for respondent No.2.

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 Criminal Complaint Case No.79 dated 21.08.2013 under Sections 420, 467, 468, 471 and 120-B IPC pending before the Sub Divisional Judicial Magistrate, Gidderbaha on the basis of a written compromise dated 10.08.2021 (Annexure P-2) entered into between the parties.

On 18.08.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court 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 and whether any of them have ever been declared proclaimed offender(s).

As directed, report dated 27.10.2021 from the Sub Divisional Judicial Magistrate, Gidderbaha 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 petitioners are the only accused

involved and that no proclamation proceedings/criminal cases are pending against the petitioners.

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 offences are not heinous 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 Criminal Complaint Case No.79 dated 21.08.2013 under Sections 420, 467, 468, 471 and 120-B IPC pending before the Sub Divisional Judicial Magistrate, Gidderbaha and all proceedings arising therefrom, qua the petitioners.

11.11.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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