

CRM-M-29286 of 2020

**234IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-29286 of 2020
Date of decision: 21.01.2021

Raj Singh and another

.....Petitioners

vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. A.S. Barnala, Advocate, for the petitioners.
Mr. Amit Mehta, Sr. DAG, Punjab.
Mr. M.S. Saini, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.27 dated 26.01.2020 under Sections 452, 323, 506 and 34 IPC registered at Police Station Sadar Dhuri, District Sangrur, on the basis of compromise (Annexure P-2).

On September 23, 2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 08.10.2020 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court whether the petitioners were ever declared as a proclaimed offenders.

As directed, report dated 27.10.2020 from the Judicial

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Magistrate Ist Class, Dhuri, 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 no proclamation proceedings are pending against the petitioners.

Learned State counsel submitted that he has 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 offence is not heinous; the parties belong to same village; 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, I deem it just and proper to allow the petition and resultantly quash the FIR No.27 dated 26.01.2020 under Sections 452, 323, 506 and 34 IPC registered at Police Station Sadar Dhuri, District Sangrur, and all proceedings arising therefrom, qua the petitioners.

January 21, 2021
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No