

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

Sr. No.232

CRM-M-29915-2020

Date of decision: 19.01.2021

Jugraj Singh and others

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. K.P. Singh, Advocate
for the petitioners.

Mr. J.S. Ghumman, DAG, Punjab.

Ms. Navneet Kaur Dhanja, Advocate
for respondent No.2.

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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.101 dated 08.12.2019 under Sections 295-A, 323, 34 IPC registered at Police Station Jhander, Amritsar Rural and all subsequent proceedings arising therefrom on the basis of the compromise (Annexure P-2).

On 28.09.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 03.12.2020 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report with regard to the genuineness of the compromise.

As directed, report dated 15.12.2020 from the Judicial Magistrate Ist Class, Ajnala 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 the same is genuine.

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 parties belongs to the same village; 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 the FIR No.101 dated 08.12.2019 under Sections 295-A, 323, 34 IPC registered at Police Station 'Jhander', Amritsar Rural and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

January 19, 2021

Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No