

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

Sr. No.112

CRM-M-29602-2019

Date of decision: 10.08.2021

Kulwinder Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioner.

Mr. Jagmohan Singh Ghumman, DAG, Punjab.

Mr. Fatehjeet Singh, 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.59 dated 03.04.2019 under Sections 406/420 IPC
registered at Police Station Phase-I, S.A.S. Nagar Mohali and all subsequent
proceedings arising therefrom on the basis of the compromise (Annexure P-
2).

On 15.07.2019 this Court had directed the parties to appear
before the Area Magistrate for recording of their respective statements with
regard to the authenticity of 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 directed, report dated 07.08.201 from the Chief Judicial
Magistrate, S.A.S. Nagar, Mohali has been received, as per which the

parties had recorded their statements before her in terms of the compromise arrived at between them and no other 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 offences are compoundable 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.59 dated 03.04.2019 under Sections 406/420 IPC registered at Police Station Phase-I, S.A.S. Nagar Mohali and all proceedings arising therefrom, qua the petitioner.

(DEEPAK SIBAL)
JUDGE

August 10, 2021
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No