

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 243

CRM-M-37860-2021

Date of decision : 02.12.2021

Lakhwinder Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.R.M.Sharma, Advocate, for the petitioners.

 Mr.Saurav Khurana, DAG, Punjab.

 Mr.Yagsimant Attri, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.16 dated 06.06.2018 registered under Sections 420 and 120-B IPC at Police Station City Zira, District Ferozepur on the basis of a compromise dated 30.07.2021 (Annexure P-2) entered into between the parties.

On 14.09.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 24.09.2021 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 and whether any of the accused have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 30.11.2021 from the Judicial Magistrate Ist Class, Zira 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; only the petitioners are arrayed as accused; they have not been declared proclaimed offender(s) in this case and that no other case has been registered 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 where the trial is at the early stage; 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 FIR No.16 dated 06.06.2018 registered under Sections 420 and 120-B IPC at Police Station City Zira, District Ferozepur and all proceedings arising therefrom qua the petitioners.

02.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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