

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 238

CRM-M-38518-2021

Date of decision : 11.11.2021

Vikash Kumar and another

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Vaibhav Sharma, Advocate, for the petitioners.

Mr.Rahul Mohan, DAG, Haryana.

Mr.Anil Gupta, 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 FIR No.254 dated 08.09.2021, registered under Sections 120B and 420 IPC at Police Station City Narwana, District Jind on the basis of a compromise dated 11.09.2021 (Annexure P-2) entered into between the parties.

On 16.09.2021 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 30.09.2021 from the Sub Divisional Judicial Magistrate, Narwana, 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 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.254 dated 08.09.2021, registered under Sections 120B and 420 IPC at Police Station City Narwana, District Jind and all proceedings arising therefrom, qua the petitioners.

11.11.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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