

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

(Sr. No. 242)

CRM-M No.35565 of 2020

Date of decision : 25.03.2021

Arjan Singh and others
Versus

.....Petitioners

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Dheeraj Mahajan, Advocate, for the petitioners.
Mr. H.S.Multani, AAG, Punjab.
Ms. Sheenam Kamboj, Advocate for
Mr. Randeep Singh Rana, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of DDR No.41(A) dated 08.01.2016 under Sections 323, 324, 34 IPC registered at Police Station Sultanwind, District Amritsar City in FIR No.318 dated 31.12.2015 on the basis of a compromise dated 19.10.2020 (Annexure P-3) entered into between the parties.

On 03.11.2020, 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 any of the accused have ever been declared proclaimed offender(s).

As directed, report dated 22.03.2021 from the Judicial

Magistrate, Ist Class, Amritsar 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 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 not heinous; where the investigation is at an early stage; the parties belong to the same village and also 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 DDR No.41(A) dated 08.01.2016 under Sections 323, 324, 34 IPC registered at Police Station Sultanwind, District Amritsar City in FIR No.318 dated 31.12.2015 and all proceedings arising therefrom qua the petitioners.

25.03.2021

Shivani Kaushik

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No