

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41039-2021
Date of Decision: 08.11.2021

RAJPAL SINGH AND ANOTHER

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Jasvinder Saini, Advocate for the petitioners
Mr.Sumit Jain, Additional Advocate General, Haryana
Ms.Monika Gupta, 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.178 dated 15.09.2021 registered under Sections 3(1)(r) and 3 (1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) (for short, the Act) and Section 506 IPC at Police Station Jhansa district Kurukshetra on the basis of a compromise dated 25.09.2021 (Annexure P-2) entered into between the parties.

On 01.10.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 12.10.2021 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 P.O. proceedings are pending against any of the party.

As directed, report dated 18.10.2021 from the Judicial

Magistrate First Class, Kurukshetra 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 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 the offences are not heinous; the trial 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 FIR No.178 dated 15.09.2021 registered under Sections 3(1)(r) and 3 (1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) (for short, the Act) and Section 506 IPC at Police Station Jhansa district Kurukshetra and all proceedings arising therefrom qua the petitioners.

08.11.2021

gk

(Deepak Sibal)

Judge

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No