IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No. 246(2)

CRM-M No. 36389 of 2020

Date of decision : 02.09.2021

Amritpal Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present **:** Mr. Rakesh Dhiman, Advocate for the petitioners.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

Mr. Rajnikant Upadhyay, 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 DDR No.35 registered in cross case being FIR No.97 dated 16.08.2020 under Sections 341/324/323/427/506/148/149 IPC at Police Station Khanauri, district Sangrur on the basis of a compromise dated 25.08.2020 (Annexure P-3) entered into between the parties.

Through order dated 26.07.2021 passed in connected case being CRM-M-35196-2020, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 10.08.2021 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

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to the veracity of the compromise between the parties as also to apprise this Court whether any of the accused has been declared proclaimed offender.

As directed, report dated 25.08.2021 from the Sub Divisional Judicial Magistrate, Moonak 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 matter is at an early stage of investigation and 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.35 registered in cross case being FIR No.97 dated 16.08.2020 under Sections 341/324/323/427/ 506/148/149 IPC at Police Station Khanauri, district Sangrur and all proceedings arising therefrom qua the petitioners.

02.09.2021 **(DEEPAK SIBAL)**
sunil yadav **JUDGE**

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

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