

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 236

CRM-M-39140-2020

Date of decision : 21.01.2021

Gurdev Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sarbjit Singh, Advocate, for the petitioners.

Mr.Amit Mehta, Sr.DAG, Punjab.

Mr.G.S.Thind, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.87 dated 31.10.2019 registered under Sections 326/324/506/148/149 IPC at Police Station Verowal, district Tarn Taran on the basis of a compromise dated 18.07.2020 (Annexure P-2) entered into between the parties.

On 26.11.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 04.12.2020 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; whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 07.01.2021 from the Sub Divisional Judicial Magistrate, Khadur Sahib 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; no proclamation proceedings/criminal cases are pending against the petitioners and that the compromise is genuine, voluntarily, without any coercion or undue influence.

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; the investigation is at the initial 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 FIR No.87 dated 31.10.2019 registered under Sections 326/324/506/148/149 IPC at Police Station Verowal, district Tarn Taran and all proceedings arising therefrom qua the petitioners.

21.01.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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