

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 121

CRM-M-45436-2021

Date of decision : 15.12.2021

Karam Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.A.S.Gill, Sr.DAG, Punjab.

Ms.Kannupriya, 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.71 dated 06.09.2014 registered under Sections 420 and 120-B IPC at Police Station Jhunir, District Mansa on the basis of a compromise dated 19.10.2021 (Annexure P-2) entered into between the parties.

On 03.11.2021 this Court had directed the parties to appear before the Trial Court/Illaq Magistrate for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report with respect to the veracity of the compromise; total number of accused facing the trial; whether any of them was declared proclaimed offender and the status/stage of the trial/case.

As directed, report dated 30.11.2021 from the Judicial Magistrate Ist Class, Sardulgarh 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; only the petitioners are arrayed as accused; both of them had earlier been declared proclaimed offenders but now they are facing trial and the compromise is genuine.

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.71 dated 06.09.2014 registered under Sections 420 and 120-B IPC at Police Station Jhunir, District Mansa and all proceedings arising therefrom, qua the petitioners.

15.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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