

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

Sr. No. 114

CRM-M No. 44106 of 2020

Date of decision : 22.11.2021

Balwinder Singh @ Kala Bagrian

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Rajveer Singh Parmar, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. P. K. Bansal, Advocate for respondent No.3.

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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 FIR No. 0057 dated 22.05.2020 registered under Sections 420/406 IPC at Police Station Fattu Dyinga, district Kapurthala on the basis of a compromise dated 25.08.2020 (Annexure P-2) entered into between the parties.

On 04.03.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 15.03.2021 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 31.03.2021 from the Sub Divisional Judicial Magistrate, Sultanpur Lodhi 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 petitioner.

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 under Sections 420/406 IPC; the matter is at the early stage of trial 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 FIR No. 0057 dated 22.05.2020 registered under Sections 420/406 IPC at Police Station Fattu DHINGA, district Kapurthala and all proceedings arising therefrom qua the petitioner.

22.11.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No