

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 250

CRM-M-43646-2019
Date of decision : 15.11.2021

Anoop Kumar @ Anoop Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Pradeep Sharma, Advocate, for the petitioner.

 Mr.Saurav Khurana, DAG, Punjab.

 Mr.B.S.Makkar, Advocate, for respondent No.2.

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.159 dated 12.10.2017, registered under Section 420 IPC at Police Station Sadar Fazilka, Tehsil & District Fazilka on the basis of compromise dated 20.09.2019 (Annexure P-2) entered into between the parties.

On 15.10.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court 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 genuineness and voluntary nature of the compromise; whether all the accused/petitioners are appearing before the Court or are on bail and whether any other proceeding is pending against them.

As directed, report dated 19.11.2019 from the Additional Chief Judicial Magistrate, Fazilka 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; the compromise is genuine; the petitioner is the only accused involved, who is on anticipatory bail and has joined investigation and that no other criminal case is pending against him.

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 investigation is at an early 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.159 dated 12.10.2017, registered under Section 420 IPC at Police Station Sadar Fazilka, Tehsil & District Fazilka and all proceedings arising therefrom, qua the petitioner.

15.11.2021
shamsher

[DEEPAK SIBAL]
JUDGE