

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

(Sr. No. 230)

CRM-M No. 57388 of 2018

Date of decision : 16.12.2021

Surjit Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Rishu Garg, Advocate for the petitioners.
Mr. Amandeep Singh Gill, Senior DAG, Punjab.
Mr. C. S. Bakshi, Advocate for respondents No.2 to 4.

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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. 03 dated 07.01.2017 registered under Sections 420/120-B IPC at Police Station Division No.1, Kotwali, Ludhiana on the basis of a written compromise dated 20.07.2020 (Annexure P-16).

On 29.04.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 06.05.2021 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 accused.

As directed, report dated 24.11.2021 from the Judicial

Magistrate First Class, Ludhiana 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 compoundable; the trial is yet to begin 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. 03 dated 07.01.2017 registered under Sections 420/120-B IPC at Police Station Division No.1, Kotwali, Ludhiana and all proceedings arising therefrom qua the petitioners.

16.12.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No