

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 249

CRM-M-574-2020

Date of decision : 13.05.2022

Jagtar Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.T.P.Singh, Advocate, for
Mr.R.S.Sekhon, 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.140 dated 28.09.2019 registered under Sections 354 and 354-A IPC at Police Station Khuian Sarwar, District Fazilka on the basis of a compromise dated 17.12.2019 (Annexure P-2) entered into between the parties.

On 09.01.2020 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 along with the recorded statements with regard to the genuineness of the compromise and also to intimate whether any P.O. proceedings are pending against any of the party.

As directed, report dated 05.03.2020 from the Judicial Magistrate, Ist Class, Abohar 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 same has been entered into between the parties with their own free will and without any pressure or undue influence and that the accused has not been declared a proclaimed offender.

Learned State counsel has 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 as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by a 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.140 dated 28.09.2019 registered under Sections 354 and 354-A IPC at Police Station Khuian Sarwar, District Fazilka and all proceedings arising therefrom qua the petitioner.

13.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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