

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

Sr. No. 238(2)

CRM-M No. 1012 of 2021

Date of decision : 03.03.2022

Mangat Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Varun Sharma, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Neeraj Madaan, Advocate for respondents No.2 and 3.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of G.D. No.040 dated 04.03.2019 registered under Sections 323, 34 IPC (Section 325 IPC added later on) in FIR No. 09 dated 04.03.2019 at Police Station Sadar Jalalabad, district Fazilka on the basis of a written compromise (Annexure P-3).

On 12.01.2021, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 19.01.2021 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 31.03.2021 from the Judicial Magistrate First Class, Jalalabad (W) 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 not heinous; the parties are residents of the same village and the matter has 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 G.D. No.040 dated 04.03.2019 registered under Sections 323, 34 IPC (Section 325 IPC added later on) in FIR No. 09 dated 04.03.2019 at Police Station Sadar Jalalabad, district Fazilka and all proceedings arising therefrom qua the petitioners.

03.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No