

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

Sr. No. 238(1)

CRM-M No. 505 of 2021

Date of decision : 03.03.2022

Diljeet Singh @ Chinda and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Neeraj Madaan, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Varun Sharma, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 09 dated 04.03.2019 registered under Sections 324, 323 and 34 IPC (Section 326 IPC added later on) at Police Station Sadar Jalalabad, district Fazilka on the basis of a written compromise (Annexure P-2).

Through orders dated 07.01.2021 and 08.03.2021, this Court had directed the parties as also the alleged injured persons 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 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 02.03.2021 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 parties are residents of the same village, the matter has been compromised and after investigation the police has filed a cancellation report before the concerned Court, 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. 09 dated 04.03.2019 registered under Sections 324, 323 and 34 IPC (Section 326 IPC added later on) 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