

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

Sr. No.245

CRM-M-3189-2021

Date of decision: 06.05.2022

Shakti

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

None 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.169 dated 09.10.2018 registered under Sections 354, 354-D, 294, 341, 506 IPC at Police Station Division No.5, District Jalandhar and all subsequent proceedings arising out of it on the basis of the compromise dated 14.09.2020 (Annexure P-2).

On 25.01.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 02.03.2021 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there is any other case pending against them; total number of accused involved in the case and his/their status of being proclaimed offender/person.

As directed, report dated 19.02.2021 from the Judicial Magistrate, Ist Class, Jalandhar, 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 the petitioner has not been declared a proclaimed offender.

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 and 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 the FIR No.169 dated 09.10.2018 registered under Sections 354, 354-D, 294, 341, 506 IPC at Police Station Division No.5, District Jalandhar and all proceedings arising therefrom, qua the petitioner.

May 06, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No