

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 246

CRM-M-2689-2020

Date of decision : 10.03.2022

Saloni

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.L.S.Mann, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

None for respondent No.2.

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.153 dated 04.07.2018 registered under Sections 363 and 365 IPC at Police Station Nakodar Sadar, District Jalandhar Rural, on the basis of a compromise dated 18.01.2020 (Annexure P-2) entered into between the parties.

On 22.01.2020 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 as also to intimate whether any PO proceedings are pending against any of the party.

As directed, report dated 26.02.2020 from the Sub Divisional Judicial Magistrate, Nakodar, 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 compromise is voluntary and that accused 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 parties have compromised the matter, 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.153 dated 04.07.2018 registered under Sections 363 and 365 IPC at Police Station Nakodar Sadar, District Jalandhar Rural and all proceedings arising therefrom qua the petitioner.

10.03.2022
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[DEEPAK SIBAL]
JUDGE

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