

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

(Sr. No. 247)

CRM-M No. 2770 of 2020

Date of decision : 29.03.2022

Shivdeep Singh Brar @ Shiv Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. P.K.S. Phoolka, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Davinder Kumar, Advocate for respondents No.2 to 4.

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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.0155 dated 29.10.2019 registered under Sections 458, 323, 354, 506, 148, 149 IPC and Sections 25 & 57 of the Arms Act, 1959 at Police Station Nehianwala, district Bathinda on the basis of a written compromise Annexure P-2.

On 22.01.2020, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 26.02.2020 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 19.03.2020 from the Judicial

Magistrate First Class, Bathinda 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 matter is at the early stage of trial and having 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 FIR No.0155 dated 29.10.2019 registered under Sections 458, 323, 354, 506, 148, 149 IPC and Sections 25 & 57 of the Arms Act, 1959 at Police Station Nehianwala, district Bathinda and all proceedings arising therefrom qua the petitioners.

29.03.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No