

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 287

CRM-M-3794-2022

Date of decision : 12.07.2022

Jagtar Singh

..... 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.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.12 dated 28.06.2018, registered under Sections 384, 509 IPC and Section 67 of the Information Technology Act, 2000 at Police Station Arif Ke, District Ferozepur, on the basis of a compromise dated 03.01.2022 (Annexure P-2) entered into between the parties.

On 10.02.2022 this Court had directed the parties 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 number of the accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O.; the name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise; the stage of the trial/proceedings; whether the compromise is genuine, voluntary and out of free will of the parties and whether any other criminal case is pending against the accused.

As directed, report dated 13.05.2022 from the Judicial Magistrate Ist Class, Ferozepur 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; only the petitioner is arraigned as accused; he has not been declared a proclaimed offender; respondent No.2 is the complainant who appeared before the Trial Court and got recorded her statement in support of the compromise; the compromise is genuine and voluntary and that no other criminal case is pending against the petitioner.

Learned State counsel has 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 offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.12 dated 28.06.2018, registered under Sections 384, 509 IPC and Section 67 of the Information Technology Act, 2000 at Police Station Arif Ke, District Ferozepur and all proceedings arising therefrom qua the petitioner.

12.07.2022

shamsher

[DEEPAK SIBAL]

JUDGE

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