

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 264

CRM-M-5126-2021

Date of decision : 06.04.2022

Lovely Singh @ Babil Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.N.S.Sidhu, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

Mr.T.S.Hundal, Advocate, for respondent No.2/complainant.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.98 dated 11.11.2019 registered under Sections 354, 354-A and 506 IPC at Police Station Sadar Rampura, District Bathinda on the basis of a compromise dated 29.12.2020 (Annexure P-2) entered into between the parties.

On 05.02.2021 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 respect to the veracity of the compromise; the names and number of the accused involved and whether any of them has been declared proclaimed offender.

As directed, report dated 03.03.2021 from the Judicial Magistrate Ist Class, Phul has been received, as per which the parties had recorded their statements before the Court in terms of the compromise arrived at between them, the compromise is genuine and valid and that only the petitioner is arrayed as accused in this case who has not been declared proclaimed offender.

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; the investigation is at its initial stage and the matter 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.98 dated 11.11.2019 registered under Sections 354, 354-A and 506 IPC at Police Station Sadar Rampura, District Bathinda and all proceedings arising therefrom qua the petitioner.

06.04.2022
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[DEEPAK SIBAL]
JUDGE

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