

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.302

CRM-M-4950-2022

Date of decision : 16.05.2022

Ranjit Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ramandeep, Advocate, for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

Mr.G.S.Bains, Advocate, 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.255 dated 17.11.2021 registered under Sections 354, 323, 324, 341 and 34 IPC at Police Station City Samana, District Patiala on the basis of a compromise dated 18.01.2022 (Annexure P-2) entered into between the parties.

On 07.02.2022 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 name of the complainant and all accused arrayed in the FIR; whether all of them have appeared and made their respective statements in support of the compromise; whether any of the accused has been declared a proclaimed offender; the stage of the trial/proceedings and whether the compromise is genuine, voluntarily and out of free will.

As directed, report dated 27.04.2022 from Sub Divisional Judicial Magistrate, Samana 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; respondent No.2 is the complainant; the complainant and the accused had appeared and made their respective statements before the Trial Court with regard to the compromise arrived at between them; accused have not been declared proclaimed offenders; the matter is at the stage of investigation and that the compromise is genuine, voluntary and out of free will of the parties.

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 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 FIR No.255 dated 17.11.2021 registered under Sections 354, 323, 324, 341 and 34 IPC at Police Station City Samana, District Patiala and all proceedings arising therefrom qua the petitioners.

16.05.2022
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[DEEPAK SIBAL]
JUDGE

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