

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 272

CRM-M-7778-2021

Date of decision : 24.08.2022

Prince Sharma @ Prince Kumar and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Tarun Sharma, Advocate, for the petitioners.

Mr.Himani Arora, AAG, Punjab.

Mr.Parneet Singh, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.101 dated 10.11.2020 registered under Sections 363 and 366 IPC at Police Station Cantt. Ferozepur, District Ferozepur on the basis of a written compromise dated 13.02.2021 (Annexure P-2) entered into between the parties.

On 15.03.2021 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 compromise between the parties as also to apprise this Court the number of accused arraigned in the FIR and how many have appeared before the Trial Court and have made statements and whether any of them 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 trial/proceedings and that if the compromise is genuine, voluntary and out of free will of the parties.

As directed, report dated 24.05.2021 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 petitioners are arraigned as accused; they have not been declared proclaimed offender(s); respondents No.2 and 3 are the only injured/aggrieved persons; the petitioners and the complainant(s) have appeared before the Trial Court and made their respective statements with respect to the compromise arrived at between them and that the compromise is genuine and without any pressure or coercion.

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.101 dated 10.11.2020 registered under Sections 363 and 366 IPC at Police Station Cantt. Ferozepur, District Ferozepur and all proceedings arising therefrom qua the petitioners.

24.08.2022

shamsher

[DEEPAK SIBAL]
JUDGE

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