

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

Sr. No.246

CRM-M-9317-2021

Date of decision: 06.05.2022

Shaminder Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Deepanshu Mehta, Advocate,
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. P.S. Bindra, Advocate, for respondents No.2 to 5.

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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.202 dated 22.12.2020 registered under Sections 354-B, 509, 323, 34 IPC at Police Station Bullowal, District Hoshiarpur and all subsequent proceedings arising out of it on the basis of the compromise dated 08.02.2021 (Annexure P-3).

On 26.02.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court upto 25.03.2021 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there any other case pending against them; total number of accused involved in the case and his/their status of being proclaimed offender/person.

As directed, report dated 09.04.2021 from the Judicial Magistrate, Ist Class, Hoshiarpur, 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 none of the petitioners has been declared a proclaimed offender.

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 and 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 the FIR No.202 dated 22.12.2020 registered under Sections 354-B, 509, 323, 34 IPC at Police Station Bullowal, District Hoshiarpur and all proceedings arising therefrom, qua the petitioners.

May 06, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No