

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 258

CRM-M-6002-2020

Date of decision : 12.05.2022

Jagjit Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Divya Arora, Advocate, for
Mr.Rahul Deswal, Advocate, for the petitioners.

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.39 dated 23.06.2019 registered under Sections 379, 354-B, 447 and 506 IPC at Police Station Jodhan, District Ludhiana on the basis of a compromise dated 02.12.2019 (Annexure P-2) entered into between the parties.

On 11.02.2020 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 regard to the genuineness of the compromise and also to intimate whether any P.O. proceedings are pending against any of the party.

As directed, report dated 26.10.2020 from the Judicial Magistrate, Ist Class, Ludhiana 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; the same is genuine, voluntary and valid and that the accused have not been declared proclaimed offender(s).

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.39 dated 23.06.2019 registered under Sections 379, 354-B, 447 and 506 IPC at Police Station Jodhan, District Ludhiana and all proceedings arising therefrom qua the petitioners.

12.05.2022
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[DEEPAK SIBAL]
JUDGE

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