

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 128

CRM-M-12583-2021

Date of decision : 04.04.2022

Kiranveer @ Baba

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.B.K.Sharma, Advocate, for the petitioner.

 Ms.Gunkirat Kaur, AAG, Punjab.

 Mr.Gautam Kaile, 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.220 dated 26.09.2017 registered under Sections 363 and 366 IPC at Police Station Sadar Jalandhar, District Jalandhar on the basis of compromise (Annexure P-2) entered into between the parties.

On 22.03.2021 this Court had directed the parties to appear before the Trial Court/Duty Magistrate for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report with regard to genuineness and voluntary nature of the compromise; whether all the accused/petitioners are appearing before the Court or are on bail and whether any other proceeding is pending against them.

As directed, report dated 26.06.2021 from the Additional Chief Judicial Magistrate, Jalandhar has been received as per which the parties had recorded their statements before the Trial Court/Duty Magistrate in terms of the compromise arrived at between them; the compromise is genuine, voluntary and without any coercion or influence; the petitioner is the only accused in the present FIR and that no other proceedings are pending against him.

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 petitioner and respondent No.2 have compromised the matter and are now residing as husband and wife, 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.220 dated 26.09.2017 registered under Sections 363 and 366 IPC at Police Station Sadar Jalandhar, District Jalandhar and all proceedings arising therefrom, qua the petitioner.

04.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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