

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**Sr. No.275**

**CRM-M-13171-2022**

**Date of decision: 27.07.2022**

Balwinder Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Ms. Vishali, Advocate, for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

None for respondent No.2.

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**DEEPAK SIBAL, J. (Oral)**

The present petition has been filed under Section 482 Cr.P.C. for quashing of Complaint No. COMI/9/2018 dated 12.02.2018 filed under Sections 323, 354, 452, 506 and 34 IPC – Kirpal Kaur vs. Balwinder Singh and others, pending in the Court of Judicial Magistrate Ist Class, Kharar, District SAS Nagar, Mohali and all subsequent proceedings arising out of it on the basis of the compromise dated 10.03.2022 (Annexure P-3).

On 30.03.2022 this Court had directed the parties to appear before the Illaqa Magistrate on 19.04.2022 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 number of persons arrayed as accused in the complaint and his/their status of being proclaimed offender/person.

As directed, report dated 26.04.2022 from the Judicial Magistrate, Ist Class, Kharar, 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 accused 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 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 the Complaint No. COMI/9/2018 dated 12.02.2018 filed under Sections 323, 354, 452, 506 and 34 IPC – Kirpal Kaur vs. Balwinder Singh and others, pending in the Court of Judicial Magistrate Ist Class, Kharar, District SAS Nagar, Mohali and all proceedings arising therefrom, qua the petitioners.

**July 27, 2022**  
*Jyoti 1*

**(DEEPAK SIBAL)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No