

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

Sr. No.270

CRM-M-12269-2022

Date of decision: 26.05.2022

Rijvaan @ Ruzwaan Khan and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rakesh Gupta, Advocate, for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Ms. Usha Rani, Advocate, 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 FIR No.7 dated 10.01.2018 registered under Sections 452, 354, 323, 506 and 34 IPC at Police Station Urban Estate, Patiala and all subsequent proceedings arising out of it on the basis of a compromise deed dated 23.02.2022(Annexure P-2).

On 24.03.2022 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 06.04.2022 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 if is 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 21.04.2022 from the Additional Chief Judicial Magistrate, Patiala, 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.7 dated 10.01.2018 registered under Sections 452, 354, 323, 506 and 34 IPC at Police Station Urban Estate, Patiala and all proceedings arising therefrom, qua the petitioners.

May 26, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No