

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 283

CRM-M-13781-2021

Date of decision : 24.05.2022

Phool Singh and others

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms.Sheenu Sura, DAG, Haryana.

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.28 dated 13.03.2021 registered under Sections 323, 354A, 354B, 506 and 34 IPC at Police Station Bapoli, District Panipat on the basis of a compromise dated 21.03.2021 (Annexure P-2) entered into between the parties.

On 07.04.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Duty 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; whether any other persons have been nominated as accused; whether any persons have been declared proclaimed offender(s); whether challan has been filed and whether there is any cross case etc.

As directed, report dated 04.05.2021 from the Sub Divisional Judicial Magistrate, Samalkha 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; only the petitioners are arrayed as accused; none of

them has been declared proclaimed offender; the compromise is genuine and valid; challan has not been filed and that there is no other cross case.

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.28 dated 13.03.2021 registered under Sections 323, 354A, 354B, 506 and 34 IPC at Police Station Bapoli, District Panipat and all proceedings arising therefrom qua the petitioners.

24.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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