

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 263

CRM-M-15611-2021

Date of decision : 20.05.2022

Mukhtiar Singh and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

None for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.213 dated 02.06.2020 registered under Sections 452, 354, 506, 148 and 149 IPC at Police Station Sadar Tarn Taran, District Tarn Taran on the basis of a compromise Annexure P-2 entered into between the parties.

On 08.04.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court 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 number of persons arrayed as accused; whether any of them is proclaimed offender; whether the compromise is genuine, voluntary and without any coercion or undue influence; whether the accused are involved in any other case or not and the current stage of the case.

As directed, report dated 04.05.2021 from the Additional Chief Judicial Magistrate, Tarn Taran 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; they have

not been declared proclaimed offenders; the compromise is genuine, voluntary and without any coercion or undue influence; no other case is pending against the accused persons and that the FIR is at the stage of investigation.

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.213 dated 02.06.2020 registered under Sections 452, 354, 506, 148 and 149 IPC at Police Station Sadar Tarn Taran, District Tarn Taran and all proceedings arising therefrom qua the petitioners.

20.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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