

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

Sr. No.254

CRM-M-17017-2021

Date of decision: 23.09.2022

Sukhwant Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Ms. Himani Arora, AAG, 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 FIR No.77 dated 13.03.2021 registered under Sections 354-B, 394 and 506 IPC at Police Station Division B, District Police Commissionerate Amritsar and all subsequent proceedings arising out of it on the basis of a written compromise dated 16.04.2021 (Annexure P-2).

On 23.04.2021 and 22.04.2022 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/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 there is any other case pending against them and his/their status of being proclaimed offender/person.

As directed, report dated 22.09.2022 from the Judicial Magistrate, Ist Class, Amritsar, 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 the accused have never 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 FIR No.77 dated 13.03.2021 registered under Sections 354-B, 394 and 506 IPC at Police Station Division B, District Police Commissionerate Amritsar and all proceedings arising therefrom, qua the petitioner.

September 23, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No