

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

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CRM-M-19699-2022 (O&M)

Date of decision: 29.09.2022

SANJEEV KUMAR BATTA @ HAPPY BATTA

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Kamal Jindal, Advocate for
Mr. Rishi Nijhawan, Advocate
for the petitioner.

Mr. Karan Sharma, DAG Haryana.

Mr. Rakshit Gupta, Advocate
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.219 dated 29.04.2019 registered under Sections 354 and 506 of the Indian Penal Code, 1860 (Section 354-B IPC added later on) at Police Station Pehowa, District Kurukshetra and all proceedings arising therefrom qua the petitioner, on the basis of written compromise and affidavit dated 07.04.2022 (Annexures P-2 and P-3 respectively).

On 09.05.2022, 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, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether all the accused are party to the compromise; whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 31.05.2022 from the Sub Divisional Judicial Magistrate, Pehowa 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 petitioner is arrayed as the accused; he has not been declared a proclaimed offender and that no other criminal case is pending against him.

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 & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466*, this Court deems it just and proper to allow the petition and resultantly quash FIR No.219 dated 29.04.2019 registered under Sections 354 and 506 of the Indian Penal Code, 1860 (Section 354-B IPC added later on) at Police Station Pehowa, District Kurukshetra and all proceedings arising therefrom qua the petitioner.

(DEEPAK SIBAL)
JUDGE

September 29, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>