

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 309

CRM-M-21762-2022

Date of decision : 28.09.2022

Sukhjit 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.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.96 dated 28.08.2020 registered under Sections 354, 354A, 452, 506 and 509 IPC at Police Station Mehal Kalan, District Barnala and all proceedings arising therefrom qua the petitioner on the basis of a written compromise dated 02.05.2022 (Annexure P-2) entered into between the parties.

On 19.05.2022 Court had directed the parties to appear before the Trial Court/Illaq 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 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 FIR or not and the number of victims/complainants in the FIR.

As directed, report dated 24.06.2022 from the Judicial Magistrate Ist Class, Barnala 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; the compromise is genuine and is without any pressure, coercion or undue influence; the accused is not involved in any other FIR and that respondent No.2 is the only victim/complainant in the present FIR.

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 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 FIR No.96 dated 28.08.2020 registered under Sections 354, 354A, 452, 506 and 509 IPC at Police Station Mehal Kalan, District Barnala and all proceedings arising therefrom qua the petitioner.

28.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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