

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

Sr. No. 225(1)

CRM-M No. 40524 of 2018

Date of decision : 24.03.2022

Sunil Kumar and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Kanishkveer Singh, Advocate for the petitioners.

Mr. Sourav Khurana, DAG, Punjab.

Mr. Rajeev Kumar Sharma, Advocate for respondent No.3.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 137 dated 08.10.2015 registered under Sections 323, 354, 341 and 34 IPC at Police Station Sadar Phagwara, district Kapurthala on the basis of a written compromise dated 11.07.2017 (Annexure P-2).

On 28.01.2020, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 26.02.2020 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 P.O. proceedings are pending against any of the accused.

As directed, report dated 28.02.2020 from the Judicial Magistrate First Class, Phagwara 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 that no proclamation proceedings are pending against the petitioners.

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; the matter is at the early stage of trial and having been compromised, would be an abuse of the process of law and in terms of the law laid down by the 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.137 dated 08.10.2015 registered under Sections 323, 354, 341 and 34 IPC at Police Station Sadar Phagwara, district Kapurthala and all proceedings arising therefrom qua the petitioners.

24.03.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No