

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 264

CRM-M-51926-2018

Date of decision : 25.07.2022

Jagjit Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Naveen Sharma, Advocate, for the petitioner.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.Munish Gulati, Advocate, 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.83 dated 24.05.2018 registered under Sections 363-A and 366 IPC at Police Station Sudhar, Police District Ludhiana (Rural), District Ludhiana on the basis of a compromise dated 01.11.2018 (Annexures P-2 and P-3) entered into between the parties.

On 11.09.2019 this Court had directed the parties to appear before the Illaqa 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 voluntariness, without any coercion or threat of the compromise between the parties as also to apprise this Court whether any of the parties has been declared as proclaimed offender.

As directed, report dated 01.11.2019 from the Judicial Magistrate, Ist Class, Jagraon 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; the same is genuine, voluntary and without any coercion or undue influence and that none of the party has been declared a proclaimed offender.

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.83 dated 24.05.2018 registered under Sections 363-A and 366 IPC at Police Station Sudhar, Police District Ludhiana (Rural), District Ludhiana and all proceedings arising therefrom qua the petitioner.

25.07.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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