

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

Sr. No.280-2

CRM-M-27776-2022

Date of decision: 28.07.2022

Billo and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Nippun Sharma, Advocate, for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. S.K. Panwar, Advocate, for respondents No.2 to 7.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of Cross Case GD No.021 dated 02.07.2021 in FIR No.134 dated 02.07.2021 registered under Sections 323, 324, 354-A, 148, 149 IPC at Police Station Sadar Kapurthala, District Kapurthala and all subsequent proceedings arising out of it on the basis of the compromise dated 17.05.2022 (Annexure P-4).

On 01.07.2022 this Court had directed the parties to appear before the Illaqa Magistrate within a period of three weeks 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 number of persons arrayed as accused; if is there any other case pending against them and his/their status of being proclaimed offender/person.

As directed, report dated 18.07.2022 from the Additional Chief Judicial Magistrate, Kapurthala, 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 none of the accused has 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 Cross Case GD No.021 dated 02.07.2021 in FIR No.134 dated 02.07.2021 registered under Sections 323, 324, 354-A, 148, 149 IPC at Police Station Sadar Kapurthala, District Kapurthala and all proceedings arising therefrom, qua the petitioners.

July 28, 2022*Jyoti 1***(DEEPAK SIBAL)****JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No