

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 305

CRM-M-32598-2021

Date of decision : 28.09.2022

Anoop

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr.Karan Sharma, DAG, Haryana.

None 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.347 dated 15.06.2019 registered under Sections 363 and 366A IPC (Section 3(2)(V) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 added later on) at Police Station City Jind, District Jind and all proceedings arising therefrom qua the petitioner on the basis of a written compromise dated 03.08.2021 (Annexure P-4) entered into between the parties.

On 12.08.2021 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 genuineness of the compromise as to whether the compromise has been effected between the parties without any undue influence or coercion.

As directed, report dated 25.08.2021 from the Additional District & Sessions Judge, Jind 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 the same has been effected with the free will of the parties and is without any pressure from any corner.

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.347 dated 15.06.2019 registered under Sections 363 and 366A IPC (Section 3(2)(V) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 added later on) at Police Station City Jind, District Jind and all proceedings arising therefrom qua the petitioner.

28.09.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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