

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 239

CRM-M-30944-2020

Date of decision : 08.04.2022

Sukhdev Singh @ Sharanpreet Singh

..... Petitioner

VERSUS

The State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr.Saurav Khurana, DAG, 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 02.06.2020 registered under Sections 363 and 366-A IPC at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib on the basis of a compromise dated 24.08.2020 (Annexure P-2) entered into between the parties.

On 08.10.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court/Duty Magistrate for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report whether the statements of the parties are bonafide and are not result of any pressure or coercion etc.; whether the compromise is genuine and valid; whether all accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s); whether any other case is pending against either of the parties or not, if yes, the details thereof; whether any of the persons involved in this case/dispute has been declared a proclaimed offender.

As directed, report dated 21.10.2020 from the Additional Chief Judicial Magistrate, Sri Muktsar Sahib has been received, as per which the parties had recorded their statements before the Court in terms of the compromise arrived at between them, statements of the parties qua the compromise are bonafide and are not the result of any pressure or coercion etc. in any manner; the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence; no other case is pending against either of the parties and that none of them is 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 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 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.96 dated 02.06.2020 registered under Sections 363 and 366-A IPC at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib and all proceedings arising therefrom qua the petitioner.

08.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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