

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

(Sr. No. 264)

**CRM-M No. 32463 of 2020**

**Date of decision : 27.04.2022**

**Gurwinder Singh and another**

.....Petitioners

*Versus*

**State of Punjab and another**

.....Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. B. S. Jaswal, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

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**DEEPAK SIBAL, J. (Oral)**

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 53 dated 16.08.2017 registered under Sections 363, 366-A and 34 IPC at Police Station Mehta, district Amritsar on the basis of a written compromise dated 27.09.2020 (Annexure P-2).

On 13.10.2020/15.02.2021, this 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 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 06.11.2020/09.03.2021 from the Sub Divisional Judicial Magistrate/Judicial Magistrate First Class, Baba Bakala

Sahib 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 matter is having been compromised between the parties and the complainant's daughter has since married someone else with whom she is happily living, 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. 53 dated 16.08.2017 registered under Sections 363, 366-A and 34 IPC at Police Station Mehta, district Amritsar and all proceedings arising therefrom qua the petitioners.

**27.04.2022***sunil yadav***( DEEPAK SIBAL )  
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No