

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 252

CRM-M-33802-2020

Date of decision : 30.05.2022

Bhupinder Singh and others

..... Petitioners

VERSUS

State of UT, Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Bhupinder Kaur, Advocate, for the petitioners.

 Mr.Anupam Bansal, Addl.P.P., UT, Chandigarh.

 None for respondents No.2 to 7.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.232 dated 31.07.2020 registered under Sections 147, 148, 149, 341, 323, 324, 354, 506 IPC (Section 326 IPC added later on), at Police Station Sector 39, Chandigarh on the basis of a compromise dated 13.10.2020 (Annexure P-3) entered into between the parties.

On 27.10.2020 this Court had directed the parties to appear before the Trial Court/Illaq 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 genuineness of the compromise as also to intimate whether the petitioners have been declared proclaimed offenders in this case or not.

As directed, report dated 05.01.2021 from the Judicial Magistrate Ist Class, Chandigarh 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 complete and good and that the petitioners have not been declared proclaimed offenders.

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 a 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.232 dated 31.07.2020 registered under Sections 147, 148, 149, 341, 323, 324, 354, 506 IPC (Section 326 IPC added later on), at Police Station Sector 39, Chandigarh and all proceedings arising therefrom qua the petitioners.

30.05.2022
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[DEEPAK SIBAL]
JUDGE

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