

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

Sr. No.257

CRM-M-32115-2019

Date of decision: 27.07.2022

Harjap Singh @ Japa

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. BBS Randhawa, Advocate, for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. Rahul Kumar Prashar, Advocate for
Mr. Dheeraj Mahajan, Advocate
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.0045 dated 23.06.2019 registered under Sections 363, 366-A, 120-B IPC at Police Station Qadian, Police District Batala and all subsequent proceedings arising out of it on the basis of the compromise dated 17.07.2019 (Annexure P-2).

On 17.09.2019 and 06.01.2020 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/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 in FIR; the stage of trial/proceedings and his/their status of being proclaimed offender/person.

As directed, report dated 23.01.2020 from the Judicial Magistrate, Ist Class, Batala, 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 FIR No.0045 dated 23.06.2019 registered under Sections 363, 366-A, 120-B IPC at Police Station Qadian, Police District Batala and all proceedings arising therefrom, qua the petitioners.

July 27, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No