

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

(Sr. No. 260)

CRM-M No. 38311 of 2020

Date of decision : 06.09.2022

Sukhraj Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Deepak Arora, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. G. S. Rawat, Advocate for respondent No.2.

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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.0246 dated 05.11.2020 registered under Sections 363 and 366-A IPC at Police Station Shri Hargobindpur, Police District Batala on the basis of a written compromise (Annexure P-5).

On 04.05.2022, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 16.05.2022 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 20.06.2022 from the Judicial Magistrate First 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 that no proclamation proceedings are pending against the petitioner.

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 between the parties, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466*, this Court deems it just and proper to allow the petition and resultantly quash FIR No. 0246 dated 05.11.2020 registered under Sections 363 and 366-A IPC at Police Station Shri Hargobindpur, Police District Batala and all proceedings arising therefrom qua the petitioner.

06.09.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No