

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.209-2

CRM-M-43401-2021

Date of decision: 21.01.2022

Giriraj Shah

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Abhinav Singla, Advocate
for the petitioner.

Ms. Rashmi Attri, Asstt. A.G., Punjab.

Mr. G.B.S. Gill, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.14 dated 02.02.2021, registered under Sections 420, 406, 506 IPC at Police Station City-I Abohar, District Fazilka and all subsequent proceedings arising out of it on the basis of the compromise dated 29.09.2021 (Annexure P-2).

On 13.10.2021 this Court had directed the parties to appear before the Illaqa Magistrate on 26.10.2021 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 if there is any other case pending against them; total number of accused involved in the case and his/their status of being proclaimed

offender/person.

As directed, report dated 11.01.2022 from the Sub-Divisional Magistrate, Abohar 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 petitioner is the only accused in the present FIR and the petitioner has not been declared a proclaimed offender. However, there are two other FIR 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 compoundable; the investigation is at an early stage 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 the FIR No.14 dated 02.02.2021, registered under Sections 420, 406, 506 IPC at Police Station City-I Abohar, District Fazilka and all proceedings arising therefrom, qua the petitioner.

January 21, 2022
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No