

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

Sr. No. 128

CRM-M No. 39587 of 2020

Date of decision : 21.02.2022

Satpal

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sandeep Kumar, Advocate for the petitioner.
Mr. Sumit Jain, Addl. A.G., Haryana.

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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.281 dated 28.05.2020 registered under Section 420 IPC (Sections 370 & 406 IPC added later on) at Police Station Sadar, Thanesar, district Kurukshetra on the basis of a written compromise dated 18.11.2020 (Annexure P-2).

On 27.11.2020, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 12.01.2021 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 the accused.

As directed, report dated 13.01.2021 from the Additional Chief

Judicial Magistrate, Kurukshetra 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 compoundable and the matter is 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 FIR No.281 dated 28.05.2020 registered under Section 420 IPC (Sections 370 & 406 IPC added later on) at Police Station Sadar, Thanesar, district Kurukshetra and all proceedings arising therefrom qua the petitioner.

21.02.2022

sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No