

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 258

CRM-M-41048-2020

Date of decision : 05.04.2022

Vikas Chander Jaggi

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sylvester Stephen, Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

Mr.S.S.Majithia, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.128 dated 07.05.2020 registered under Sections 354A, 354-D and 506 IPC at Police Station City Roopnagar, District Roopnagar on the basis of compromise dated 06.10.2020 (Annexure P-2) entered into between the parties.

On 22.02.2021 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, who in turn was directed to submit a report with regard to the veracity of the compromise, if any, between the parties as also to apprise the Court whether all the accused are party to the compromise and whether any of the accused has ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 05.03.2021 from the Chief Judicial Magistrate, Rupnagar has been received as per which the parties had recorded their statements before the Illaqa Magistrate/Trial Court in terms of the compromise arrived at between them; only the petitioner is arrayed as accused

in the present FIR; no other case is pending against him; he has not been declared proclaimed offender and that the compromise is voluntary, out of own sweet will of the parties, without any pressure and coercion in any manner.

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 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 FIR No.128 dated 07.05.2020 registered under Sections 354A, 354-D and 506 IPC at Police Station City Roopnagar, District Roopnagar and all proceedings arising therefrom, qua the petitioner.

05.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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