

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 235

CRM-M-41553-2020

Date of decision : 21.04.2022

Hira Lal and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

None 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.203 dated 31.10.2020 registered under Sections 363, 366-A and 120-B IPC at Police Station Cantonment, District Police Commissionerate, Amritsar on the basis of compromise dated 06.11.2020 (Annexure P-2) entered into between the parties.

On 06.01.2021 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 as also to apprise whether all the accused are party to the compromise and whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 26.02.2021 from the Judicial Magistrate Ist Class, Amritsar 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; the same is genuine as per the free will

of the parties and without any undue influence; no other criminal case is pending against the accused persons and that none of them have been declared proclaimed offender(s).

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 offence are not heinous as also 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.203 dated 31.10.2020 registered under Sections 363, 366-A and 120-B IPC at Police Station Cantonment, District Police Commissionerate, Amritsar and all proceedings arising therefrom, qua the petitioners.

21.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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