

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

Sr. No. 130

CRM-M No. 45916 of 2021

Date of decision : 21.02.2022

Tarik Hussain and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ashish Gupta, Advocate for the petitioners.

Mr. Sumit Jain, Addl. A. G., Haryana.

Mr. Sandeep Siwach, 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. 26 dated 22.02.2020 registered under Sections 120-B, 406, 420, 467, 468 and 471 IPC at Police Station City Tauru, district Nuh on the basis of a written compromise dated 22.10.2021 (Annexure P-2).

On 02.11.2021, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 10.11.2021 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 any of the accused.

As directed, report dated 01.12.2021 from the Additional Chief

Judicial Magistrate, Nuh 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 petitioners.

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 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. 26 dated 22.02.2020 registered under Sections 120-B, 406, 420, 467, 468 and 471 IPC at Police Station City Tauru, district Nuh and all proceedings arising therefrom qua the petitioners.

21.02.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No