

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 130

CRM-M-47176-2021 (O&M)

Date of decision : 10.03.2022

Puneet Sethi

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Mohit Vashishat, Advocate, for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

Mr.Sahil Vashishat, Advocate, for respondent No.2.

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.230 dated 02.08.2018 registered under Sections 354-A and 506 IPC at Police Station Division No.7, Ludhiana, on the basis of a compromise dated 28.10.2021 (Annexure P-2) entered into between the parties.

On 15.11.2021 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 along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise the Court 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 09.02.2022 from the Judicial Magistrate Ist Class, Ludhiana 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 compromise is genuine, voluntarily and valid; the accused has not been declared a proclaimed offender and no other criminal proceedings are pending against him.

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 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.230 dated 02.08.2018 registered under Sections 354-A and 506 IPC at Police Station Division No.7, Ludhiana and all proceedings arising therefrom qua the petitioner.

10.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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