

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 263

CRM-M-42872-2020

Date of decision : 06.04.2022

Sunil Kumar

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.S.N.Saini, Advocate, for
 Mr.I.S.Pabla, Advocate, for the petitioner.
 Mr.Sumit Jain, Addl.A.G., Haryana.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.194 dated 04.10.2020 registered under Sections 323 and 354 IPC (Section 506 IPC added later on) and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Babain, District Kurukshetra on the basis of a compromise dated 05.10.2020 (Annexure P-2) entered into between the parties.

On 18.12.2020 this Court had directed the parties to appear before the Trial Court/Illaq Magistrate 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 respect to the veracity of the compromise; the names and number of the accused involved and whether any of them has been declared proclaimed offender.

As directed, report dated 02.02.2021 from the Additional Sessions Judge, Kurukshetra has been received, as per which the parties had recorded their statements before the Court in terms of the compromise arrived at between them, the compromise is genuine one; only the petitioner is involved in the present case and that no proclamation proceedings are pending or decided against him.

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.194 dated 04.10.2020 registered under Sections 323 and 354 IPC (Section 506 IPC added later on) and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Babain, District Kurukshetra and all proceedings arising therefrom qua the petitioner.

06.04.2022
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[DEEPAK SIBAL]
JUDGE

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