

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

(Sr. No. 276)

CRM-M No.48819 of 2021

Date of decision :17.05.2022

Avtar Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Amit Arora, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Rakesh Gupta, Advocate for
Mr. Jagjit Singh, Advocate for respondents No.2 and 3.

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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.246 dated 01.10.2018 registered under Sections 452, 323, 354 and 34 IPC at Police Station Sadar Tarn Taran on the basis of a written compromise (Annexure P-2).

On 10.03.2022, 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 this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 30.03.2022 from the Addl. Chief Judicial Magistrate, Tarn Taran 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 the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by a 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.246 dated 01.10.2018 registered under Sections 452, 323, 354 and 34 IPC at Police Station Sadar Tarn Taran and all proceedings arising therefrom qua the petitioners.

17.05.2022*sunil yadav***(DEEPAK SIBAL)
JUDGE**

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