

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

(Sr. No. 259)

CRM-M No.41620 of 2019

Date of decision : 17.05.2022

Kamal Kishore and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sunny Kumar Singla, Advocate for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. M. S. Yadav, 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.79 dated 09.05.2019 registered under Sections 346 IPC (Sections 363, 506 and 34 IPC added later on) at Police Station Punjab Agriculture University, District Police Commissionerate, Ludhiana on the basis of a written compromise (Annexure P-2).

On 27.09.2019, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 22.11.2019 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 12.12.2019 from the Judicial Magistrate First 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 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 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.79 dated 09.05.2019 registered under Sections 346 IPC (Sections 363, 506 and 34 IPC added later on) at Police Station Punjab Agriculture University, District Police Commissionerate, Ludhiana 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