

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

Sr. No.217

CRM-M-110-2022

Date of decision: 18.02.2022

Ravinder Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Bhawesh Chaudhary, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Harsh Chopra, Advocate
for respondent No.2.

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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.5 dated 03.01.2021, registered under Sections 406, 420, 120-B IPC at Police Station Bhogpur, Jalandhar Rural, District Jalandhar and all subsequent proceedings arising out of it on the basis of written compromise (Annexures P-2 and P-3).

On 06.01.2022 and 14.02.2022 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/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court if there is any other case pending against them; total number of accused involved in the case and if any of the

accused has been declared a proclaimed offender.

As directed, reports dated 20.01.2022 and 15.02.2022 from the Civil Judge (Junior Division)-cum-Judicial Magistrate, Ist Class, Jalandhar have 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 petitioners are the only accused in the present FIR and that none of them has been declared a proclaimed offender.

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 compoundable 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 the FIR No.5 dated 03.01.2021, registered under Sections 406, 420, 120-B IPC at Police Station Bhogpur, Jalandhar Rural, District Jalandhar and all proceedings arising therefrom, qua the petitioner.

February 18, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No