

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 248

CRM-M-46867-2019

Date of decision : 02.03.2022

Sukhpreet Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

None 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.108 dated 28.07.2016 registered under Sections 420, 406 and 120-B IPC at Police Station Machhiwara, Police District Khanna, District Ludhiana on the basis of a compromise entered into between the parties.

On 02.11.2019 and 07.01.2022 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 with regard to the genuineness of the compromise as also to intimate whether any proclamation proceedings are pending against any of the party.

As directed, report dated 31.01.2022 from the Judicial Magistrate Ist Class, Samrala has been received, as per which the parties had recorded their statements before the Illaq Magistrate/Trial Court in terms of the compromise arrived at between them; the compromise is genuine and without any coercion or undue influence and that none of the accused has been declared as 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 offences are compoundable as also 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.108 dated 28.07.2016 registered under Sections 420, 406 and 120-B IPC at Police Station Machhiwara, Police District Khanna, District Ludhiana and all proceedings arising therefrom, qua the petitioners.

02.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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