

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

Sr. No.263

CRM-M-54607-2019

Date of decision: 03.08.2022

Mohinder Pal @ Tony

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

None 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.39 dated 23.02.2016 registered under Sections 457, 506 and 354 IPC at Police Station Dera Bassi, District S.A.S. Nagar, Mohali and all subsequent proceedings arising out of it on the basis of the compromise dated 09.05.2019 (Annexure P-3).

On 20.02.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 18.03.2020 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 whether any PO proceedings are pending against any of the party.

As directed, report dated 06.10.2021 from the Sub-Divisional Judicial Magistrate, Dera Bassi, 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, the petitioner is the only accused in the FIR in question and he has not 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 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 Supreme Court in **Narinder Singh vs. State of Punjab, (2014) 6 SCC 466**, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.39 dated 23.02.2016 registered under Sections 457, 506 and 354 IPC at Police Station Dera Bassi, District S.A.S. Nagar, Mohali and all proceedings arising therefrom, qua the petitioner.

August 03, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No