

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 249

CRM-M-54107-2019

Date of decision : 05.04.2022

Manpreet Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.S.G.Kapila Advocate, for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

None for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.95 dated 29.06.2019 registered under Sections 323, 354-B, 355, 452 and 506 IPC at Police Station Dasuya, District Hoshiarpur on the basis of compromise (Annexure P-2) entered into between the parties.

On 18.12.2019 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 with regard to the number of persons arrayed as accused in FIR; whether any of them is proclaimed offender; the stage of the trial/proceedings and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 03.03.2020 from the Sub Divisional Judicial Magistrate, Dasuya has been received as per which the parties had recorded their statements before the Illaqa Magistrate/Trial Court in terms of the compromise arrived at between them; the petitioner is the only accused who has not been declared proclaimed offender and that the compromise is voluntary and without any pressure and coercion.

Learned State counsel has 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 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 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.95 dated 29.06.2019 registered under Sections 323, 354-B, 355, 452 and 506 IPC at Police Station Dasuya, District Hoshiarpur and all proceedings arising therefrom, qua the petitioner.

05.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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