

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 245

CRM-M-54075-2019

Date of decision : 10.03.2022

Dalbir Singh

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

Mr.Sarabjit Singh, Advocate, 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.368 dated 19.08.2013 registered under Sections 354-A and 506 IPC and Sections 27, 54 and 59 of the Arms Act, 1959 at Police Station Tripuri, District Patiala, on the basis of a compromise dated 04.12.2019 (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 along with the recorded statements with regard to the authenticity and genuineness of the compromise between the parties as also to apprise the Court whether there is any other accused other than the petitioner and whether there is any other complainant or affected/aggrieved party other than the respondents.

As directed, report dated 24.01.2020 from the Judicial Magistrate Ist Class, Patiala 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 compromise is voluntarily without any pressure, threat or coercion; the petitioner is the only accused and Harjit Kaur Gill is the only complainant/aggrieved party.

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 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.368 dated 19.08.2013 registered under Sections 354-A and 506 IPC and Sections 27, 54 and 59 of the Arms Act, 1959 at Police Station Tripuri, District Patiala and all proceedings arising therefrom qua the petitioner.

10.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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