

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 253

CRM-M-55032-2019

Date of decision : 25.05.2022

Bhavesh @ Babu

..... Petitioner

VERSUS

State of Haryana another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Amit Singla, Advocate, for the petitioner.

Mr.Rajat Sharma, DAG, Haryana.

Mr.Ramesh Sindhar, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.87 dated 05.03.2019 registered under Sections 294 and 506 IPC at Police Station Barwala, District Hisar on the basis of a compromise entered into between the parties.

On 20.12.2019/24.03.2022 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, who in turn was directed to submit a report along with the recorded statements whether there is any other accused other than the petitioner and whether there is any other complainant or affected/aggrieved party other than the respondent No.2.

As directed, report dated 06.04.2022 from the Judicial Magistrate Ist Class, Hisar 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 same is genuine, voluntary and without any pressure; only the petitioner is arrayed as an accused and that respondent No.2 is the only complainant or affected/aggrieved party.

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 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 a 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.87 dated 05.03.2019 registered under Sections 294 and 506 IPC at Police Station Barwala, District Hisar and all proceedings arising therefrom qua the petitioner.

25.05.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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