

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.254

CRM-M-1048-2023

Date of decision: 01.05.2023

Bhola Singh and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Swati Verma, Advocate
for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Tarun Singla, Advocate
for respondents No.2 to 4.

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DEEPAK SIBAL, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.237 dated 20.11.2021 registered under Sections 295-A, 323 and 34 IPC at Police Station Civil Lines, District Batala and all subsequent proceedings arising out of it on the basis of a compromise dated 23.12.2022 (Annexure P-2).

2. On 10.01.2023 this Court had directed the parties to appear before the Illaqa Magistrate/trial court on 24.01.2023 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 if there is any other case pending against them and his/their status of being proclaimed offender/person.

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3. As directed, report dated 30.01.2023 from the Judicial Magistrate, Ist Class, Batala 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 and none of the petitioners has been declared a proclaimed offender.

4. Learned State counsel has also raised no objection if the present petition is allowed.

5. 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.237 dated 20.11.2021 registered under Sections 295-A, 323 and 34 IPC at Police Station Civil Lines, District Batala and all proceedings arising therefrom, qua the petitioners.

May 01, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
 Whether reportable

Yes/No
 Yes/No