

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

(Sr. No. 253)

CRM-M No. 1032 of 2023

Date of decision : 02.05.2023

Sikander

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Eeshan Garg, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Pawan Kumar Garg, Advocate for respondent No.2.

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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. 0465 dated 02.08.2021 registered under Sections 323, 324, 34 and 506 IPC (Section 34 IPC deleted later on) at Police Station Sadar, District Bhiwani and all proceedings arising therefrom qua the petitioner, on the basis of a written compromise (Annexure P-2).

(2) On 09.01.2023, 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 veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

(3) As directed, report dated 07.01.2023 from the Addl. Chief Judicial Magistrate, Bhiwani 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 that no proclamation proceedings are pending against the petitioner.

(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 & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466*, this Court deems it just and proper to allow the petition and resultantly quash FIR No. 0465 dated 02.08.2021 registered under Sections 323, 324, 34 and 506 IPC (Section 34 IPC deleted later on) at Police Station Sadar, District Bhiwani and all proceedings arising therefrom qua the petitioner.

02.05.2023

sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No