

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 244

CRM-M-1654-2021

Date of decision : 20.02.2023

Prithvi Singh @ Soma

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Isha Jain, Advocate, for
Mr.Namit Khurana, Advocate, for the petitioner.

Mr.Rajiv Sidhu, DAG, Haryana.

Mr.Sandeep Sharma, 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.213 dated 28.05.2020 registered under Sections 420, 370 IPC and Section 24 of the Emigration Act, 1983 at Police Station Kurukshetra University, District Kurukshetra and all proceedings arising therefrom qua the petitioner on the basis of a compromise (Annexure P-2) entered into between the parties.

On 13.01.2021 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 as to whether there is any other accused other than the petitioner; whether there is any other complainant or affected/aggrieved party other than the respondents; whether any accused has been declared a proclaimed offender and whether the compromise is valid and has been effected without any influence or coercion.

As directed, report dated 16.03.2021 from the Judicial Magistrate,

Ist Class, Kurukshetra, 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; only the petitioner is arrayed as the accused; respondent No.2 is the complainant; the petitioner has not been declared a proclaimed offender and that the compromise is genuine.

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 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 FIR No.213 dated 28.05.2020 registered under Sections 420, 370 IPC and Section 24 of the Emigration Act, 1983 at Police Station Kurukshetra University, District Kurukshetra and all proceedings arising therefrom qua the petitioner.

20.02.2023
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[DEEPAK SIBAL]
JUDGE

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