

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.254

CRM-M-2796-2023

Date of decision: 15.05.2023

Ajit Pal Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. B.P. Singh, Advocate, for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

Mr. Sumit Kalyan, 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.328 dated 23.12.2022 registered under Sections 406 and 420 IPC read with Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Tanda, District Hoshiarpur and all subsequent proceedings arising out of it on the basis of a compromise dated 10.01.2023 (Annexure P-2).

2. On 19.01.2023 this Court had directed the parties to appear before the Illaqa Magistrate/trial court on 31.01.2023 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 01.03.2023 from the Judicial Magistrate Ist Class, Dasuya 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 the petitioner has not 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 *State of Madhya Pradesh vs. Laxmi Narayan and others, (2019) 5 SCC 688*, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.328 dated 23.12.2022 registered under Sections 406 and 420 IPC read with Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Tanda, District Hoshiarpur and all proceedings arising therefrom, qua the petitioner.

May 15, 2023
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No