

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

Sr. No.241

CRM-M-4076-2021

Date of decision: 01.03.2023

Bittu Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Neeraj Yadav, Advocate
for the petitioners.

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

Mr. Mikhail Kad, Advocate
for respondents No.2 and 3.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of cross case registered vide GD No.41 dated 29.10.2020 registered under Sections 325, 323 and 34 IPC in FIR No.119 dated 29.10.2020 registered under Sections 325, 323 and 34 IPC at Police Station Khanauri, District Sangrur and all subsequent proceedings arising out of it on the basis of a compromise dated 18.01.2021 (Annexure P-2).

On 12.02.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 16.03.2021 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.

As directed, report dated 08.04.2021 from the Sub-Divisional Judicial Magistrate, Moonak, Sangrur 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.

Learned State counsel has also raised 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 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 cross case registered vide GD No.41 dated 29.10.2020 registered under Sections 325, 323 and 34 IPC in FIR No.119 dated 29.10.2020 registered under Sections 325, 323 and 34 IPC at Police Station Khanauri, District Sangrur and all proceedings arising therefrom, qua the petitioners.

March 01, 2023*Jyoti 1***(DEEPAK SIBAL)****JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No