

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.215

CRM-M-3674-2020 (O&M)

Date of decision: 28.04.2023

Deep Kumar @ Deepu

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Dr. Aminder Singh, Advocate
for the petitioner.

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

Mr. Angad Chahal, Advocate
for respondents No.2 and 3.

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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.74 dated 13.08.2015 registered under Sections 279, 337, 338 and 427 IPC at Police Station Lehra, District Sangrur and all subsequent proceedings arising out of it on the basis of a compromise (Annexure P-1).

2. On 28.01.2020 this Court had directed the parties to appear before the Illaqa Magistrate/trial court on 27.02.2020 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 the petitioner.

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3. As directed, report dated 04.03.2020 from the Sub-Divisional Judicial Magistrate, Moonak 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; no other case is pending against the petitioner and that 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 **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.74 dated 13.08.2015 registered under Sections 279, 337, 338 and 427 IPC at Police Station Lehra, District Sangrur and all proceedings arising therefrom, qua the petitioner.

April 28, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
 Whether reportable

Yes/No
 Yes/No