

2023:PHHC:075083

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 261

CRM-M-5549-2023

Date of decision : 24.05.2023

Ajay Daniel Anwar

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Proxy counsel for Mr.Pankaj Bali, Advocate, for the petitioner.

Mr.Rajiv Sidhu, DAG, Haryana.

None for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

(1) The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.667 dated 13.09.2020 registered under Sections 370, 384, 406, 420, 506 IPC and Section 24 of the Emigration Act, 1983 at Police Station Sadar Karnal, District Karnal and all proceedings arising therefrom qua the petitioner on the basis of a compromise dated 12.01.2023 (Annexure P-2) entered into between the parties.

(2) On 21.03.2023 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 all the accused are party to the compromise and whether any of them have ever been declared proclaimed offender(s).

(3) As directed, report dated 04.05.2023 from the Additional Sessions Judge, Karnal 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; the same is genuine; the petitioner/accused is party to the compromise and that he has not been declared a proclaimed offender.

(4) Learned State counsel has 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 alleged victim was not a minor 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 *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 FIR No.667 dated 13.09.2020 registered under Sections 370, 384, 406, 420, 506 IPC and Section 24 of the Emigration Act, 1983 at Police Station Sadar Karnal, District Karnal and all proceedings arising therefrom qua the petitioner.

24.05.2023
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[DEEPAK SIBAL]
JUDGE

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