

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 251

CRM-M-12728-2022

Date of decision : 13.03.2023

Anil Kumar

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sharad Mehra, Advocate, for the petitioner.

Mr.Shubham Kaushik, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0367 dated 26.12.2020 registered under Section 420 IPC at Police Station Civil Lines, Amritsar and all proceedings arising therefrom qua the petitioner on the basis of a compromise dated 28.11.2021 (Annexure P-2) entered into between the parties.

On 28.03.2022/02.12.2022 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 15.02.2023 from the Chief Judicial Magistrate, Amritsar, 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 only complainant; accused has not been declared a proclaimed offender and that the compromise is genuine and valid.

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 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.0367 dated 26.12.2020 registered under Section 420 IPC at Police Station Civil Lines, Amritsar and all proceedings arising therefrom qua the petitioner.

13.03.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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