

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

Sr. No.119-2

CRM-M-27933-2021

Date of decision: 06.02.2023

Gurtej Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Mohit Jaggi, Advocate
for the petitioners.

Mr. Arun Luthra, DAG, Punjab.

Mr. Sandeep Godara, Advocate for
Mr. A.P.S. Rehan, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.172 dated 12.08.2014 registered under Sections 323, 325, 341, 506, 160, 148 and 149 IPC at Police Station Phase I, District SAS Nagar, Mohali and order dated 13.03.2019 and all subsequent proceedings arising out of it on the basis of a compromise deed dated 23.05.2021 (Annexure P-2).

On 22.07.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Cour 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 is there any other case pending against them and his/their status of being proclaimed offender/person.

As directed, report dated 16.09.2021 from the Judicial Magistrate, Ist Class, SAS Nagar, Mohali 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 is 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 FIR No.172 dated 12.08.2014 registered under Sections 323, 325, 341, 506, 160, 148 and 149 IPC at Police Station Phase I, District SAS Nagar, Mohali and order dated 13.03.2019 and all proceedings arising therefrom, qua the petitioners.

February 06, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No