

2023:PHHC:078397

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 243

CRM-M-28880-2022

Date of decision : 25.05.2023

Ajaib Singh and another

..... Petitioners

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Sonia G.Singh, Advocate, for the petitioners.

Mr.Rajiv Sidhu, DAG, Haryana.

Mr.Dinesh Maurya, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

(1) The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0167 dated 06.12.2019 registered under Sections 406, 420, 506 and 34 IPC (Section 370 IPC and Section 24 of the Emigration Act, 1983 added later on) at Police Station Ram Nagar, District Karnal and all proceedings arising therefrom qua the petitioners on the basis of a compromise dated 02.07.2022 (Annexure P-2) entered into between the parties.

(2) Learned counsel for the petitioners seeks to withdraw the present petition *qua* petitioner No.2.

(3) Ordered accordingly.

(4) On 08.07.2022 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 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).

(5) As directed, report dated 18.01.2023 from the Additional Sessions Judge, Karnal has been received as per which petitioner No.1 and the complainant had recorded their statements before the trial court in terms of the compromise arrived at between them; the same is genuine; petitioner No.1 is party to the compromise and that he has not been declared a proclaimed offender.

(6) Learned State counsel has no objection if the present petition is allowed.

(7) In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous 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.0167 dated 06.12.2019 registered under Sections 406, 420, 506 and 34 IPC (Section 370 IPC and Section 24 of the Emigration Act, 1983 added later on) at Police Station Ram Nagar, District Karnal and all proceedings arising therefrom *qua* petitioner No.1.

25.05.2023
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[DEEPAK SIBAL]
JUDGE

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