

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No.239)

CRM-M No. 38317 of 2021

Date of decision : 25.05.2023

Balwinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Varun Goyal, Advocate for the petitioners.

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

Mr. Rahul Kumar Prashar, Advocate for respondents No.2 to 4.

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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.126 dated 21.07.2021 registered under Sections 323, 324, 451, 427 and 34 IPC at Police Station City Nakodar, District Jalandhar and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-2).

(2) On 04.05.2022, 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 about the penal offences/sections of statutes invoked in the matter.

(3) As directed, report dated 20.05.2022 from the Sub Divisional Judicial Magistrate, Nakodar 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 that no proclamation proceedings are pending against the petitioners.

(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 *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.126 dated 21.07.2021 registered under Sections 323, 324, 451, 427 and 34 IPC at Police Station City Nakodar, District Jalandhar and all proceedings arising therefrom qua the petitioners.

25.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No