

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 247

CRM-M-41371-2021

Date of decision : 22.02.2023

Jarnail Singh and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Randeep Singh, Advocate, for the petitioners.

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

Mr.Hardeep Singh, Advocate, for respondents No.2 to 4.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of DDR No.27 dated 31.12.2014 registered under Sections 323, 336, 506, 148 and 149 IPC in FIR No.125 dated 31.12.2014 registered under Sections 323, 324, 148 and 149 IPC at Police Station Sadar Rajpura, District Patiala and all proceedings arising therefrom qua the petitioners on the basis of a compromise dated 10.09.2021 (Annexure P-3) entered into between the parties.

On 05.10.2021 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).

As directed, report dated 13.12.2021 from the Judicial Magistrate Ist Class, Rajpura 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 has been arrived at out of the free volition of the parties and without any inducement, threat, coercion or undue influence from any quarter; all the petitioners/accused are party to the compromise and that none of them has been declared a proclaimed offender.

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 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 *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash DDR No.27 dated 31.12.2014 registered under Sections 323, 336, 506, 148 and 149 IPC in FIR No.125 dated 31.12.2014 registered under Sections 323, 324, 148 and 149 IPC at Police Station Sadar Rajpura, District Patiala and all proceedings arising therefrom qua the petitioners.

22.02.2023
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[DEEPAK SIBAL]
JUDGE

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