

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Sr. No.248(1)

CRM-M No. 44289 of 2022

Date of decision : 15.05.2023

Lakhbir Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ashish Aggarwal, Advocate for the petitioners.

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

Ms. Aditi Tiwari, Advocate for
Mr. D.S. Gandhi, Advocate for respondents No.2 to 7.

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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.207 dated 22.09.2021 registered under Sections 323, 295, 506, 148 and 149 IPC (Section 326 IPC added later on) at Police Station Gharinda, District Amritsar Rural and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-3).

(2) On 23.09.2022/21.02.2023, 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 P.O. proceedings are pending against any of the accused.

(3) As directed, report dated 12.05.2023 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 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.207 dated 22.09.2021 registered under Sections 323, 295, 506, 148 and 149 IPC (Section 326 IPC added later on) at Police Station Gharinda, District Amritsar Rural and all proceedings arising therefrom qua the petitioners.

15.05.2023

sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No