

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

(Sr. No.236)

CRM-M No. 38896 of 2019

Date of decision : 25.05.2023

Tushar Pal

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Harman Preet Singh, Advocate for
Mr. Jitender Singh Dadwal, Advocate for the petitioner.

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

Mr. Sanjeev Kumar, Advocate for respondent No.2.

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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.223 dated 13.12.2018 registered under Sections 279, 337, 338, 427 IPC at Police Station Haibowal, District Ludhiana and all proceedings arising therefrom qua the petitioner, on the basis of a written compromise (Annexure P-2).

(2) On 12.09.2019, 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 06.11.2019 from the Judicial Magistrate First Class, Ludhiana 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 petitioner.

(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.223 dated 13.12.2018 registered under Sections 279, 337, 338, 427 IPC at Police Station Haibowal, District Ludhiana and all proceedings arising therefrom qua the petitioner.

25.05.2023

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No