

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 238

CRM-M-39739-2019

Date of decision : 29.03.2023

Teerath Ram

..... Petitioner

VERSUS

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.G.B.S.Gill, Advocate, for the petitioner.

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

Mr.T.P.Singh, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.85 dated 03.09.2018 registered under Sections 420 and 406 IPC at Police Station S.G.N. Dev Thermal Plant, Bathinda and all proceedings arising therefrom qua the petitioner on the basis of a compromise dated 29.08.2019 (Annexure P-2) entered into between the parties.

On 18.09.2019 this Court had directed the parties to appear before the Trial Court/Area Judicial Magistrate 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 as to how many accused are facing the trial; whether any of them was declared proclaimed offender; status/stage of the trial/case and to record the statements of the parties with regard to the genuineness and validity or otherwise of the compromise.

As directed, report dated 03.10.2019 from the Judicial Magistrate Ist Class, Bathinda 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; only the petitioner is facing the trial; he has not been declared a proclaimed offender and that the compromise is genuine.

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 FIR No.85 dated 03.09.2018 registered under Sections 420 and 406 IPC at Police Station S.G.N. Dev Thermal Plant, Bathinda and all proceedings arising therefrom qua the petitioner.

29.03.2023
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[DEEPAK SIBAL]
JUDGE

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