

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

Sr. No. 242(2)

**CRM-M No. 42083 of 2019
Date of decision : 18.01.2023**

Kans Raj @ Des Raj and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. G. S. Simble, Advocate for the petitioners.
Mr. A.P.S. Tung, DAG, Punjab.
Mr. Tarun Singla, Advocate for respondents No.2 & 3.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of DDR No.24 dated 16.07.2019 registered under Sections 323, 324, 325, 427, 148 and 149 IPC in FIR No.104 dated 11.07.2019 registered under Sections 323, 324, 325, 452, 148 and 149 IPC at Police Station City Batala, Police District Batala, District Gurdaspur and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-3).

On 30.09.2019/17.02.2020/20.04.2022, 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 whether P.O. proceedings are pending against any of the accused.

As directed, report dated 01.08.2022 from the Sub Divisional Judicial Magistrate, Batala 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.

Learned State counsel has also raised 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 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 *Narinder Singh & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466*, this Court deems it just and proper to allow the petition and resultantly quash DDR No.24 dated 16.07.2019 registered under Sections 323, 324, 325, 427, 148 and 149 IPC in FIR No.104 dated 11.07.2019 registered under Sections 323, 324, 325, 452, 148 and 149 IPC at Police Station City Batala, Police District Batala, District Gurdaspur and all proceedings arising therefrom qua the petitioners.

18.01.2023
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No