

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

Sr. No. 257(1)

CRM-M No. 76 of 2023

Date of decision : 10.04.2023

Sarvan Kumar and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Sachin Gupta, Advocate for the petitioners.

Mr. Shubham Kaushik, AAG, Punjab.

None for respondents No.2 to 4.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of DDR No.35 dated 23.05.2021 registered under Sections 323, 188, 269 and 34 IPC at Police Station Sujampur, District Pathankot and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-3).

On 06.01.2023, 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.

As directed, report dated 23.01.2023 from the Chief Judicial

Magistrate, Pathankot 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.35 dated 23.05.2021 registered under Sections 323, 188, 269 and 34 IPC at Police Station Sujanpur, District Pathankot and all proceedings arising therefrom qua the petitioners.

10.04.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No