

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

266

CRM-M-381-2023
Date of Decision:04.10.2023

Bittu and others ...Petitioners
Versus
State of Haryana and others ... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. H.S. Kasan, Advocate, for the petitioners.
Ms. Geeta Sharma, DAG, Haryana.
Mr. Ashish Kundu, Advocate for
Mr. Jitender S. Kundu, Advocate, for respondents No. 2
to 4.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 163 dated 22.11.2014 registered under Sections 323, 324, 326/34 IPC at Police Station Sadar, Kaithal (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 04.05.2018 (Annexure P-3) arrived between the parties.

2. Vide order dated 20.07.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 04.05.2018 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Kaithal and got their statements recorded. Report dated 18.08.2023 has been received whereby after recording the statements of the parties, the Court below has shown its

satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

6. Resultantly, FIR No. 163 dated 22.11.2014 registered under Sections 323, 324, 326/34 IPC at Police Station Sadar, Kaithal (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

04.10.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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