

2023:PHHC:160870
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-809-2023
Date of Decision:14.12.2023

Hari Singh and Anr.

...Petitioners

vs.

State of Punjab and Others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. A.S Manaise, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr.Komalpreet Singh, Advocate
for respondents.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of criminal complaint bearing No.COMI/423/2013 dated 05.04.2011 titled as "Jagdish Singh Vs. Hari Singh and Others" under Sections 420,406,467,468 and 471 of IPC along with judgment and order of conviction dated 22.12.2017 (Annexure P-2) passed by the JMIC, Patti and subsequent proceedings arising therefrom on the basis of compromise.

2. Vide order dated 17.08.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to compromise.

3. Pursuant to aforesaid order, the parties have appeared before the SDJM,Patti and got their statements recorded. Report dated 01.12.2023

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, criminal complaint bearing No.COMI/423/2013 dated 05.04.2011 titled as “Jagdish Singh Vs. Hari Singh and Others” under Sections 420,406,467,468 and 471 of IPC along with judgment and order of conviction dated 22.12.2017 (Annexure P-2) passed by the JMIC, Patti alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

14.12.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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