

206/3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4334-2022

Date of Decision:25.07.2023

Karnail and others

...Petitioners

vs.

State of Punjab and Another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. J.S. Waraich, Advocate
for the petitioners.

Mr. Amish Sharma, Assistant Advocate General, Punjab.

Mr. Daman Jeet Bhoriwal, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of cross version i.e. DDR No.38 dated 10.07.2021 under Sections 323 and 149 of IPC registered at Police Station Mamdot, District Ferozepur (Annexure P-2) in case FIR No.64 dated 10.07.2021 under Sections 324, 323, 148, 149 of IPC (Section 326 of IPC added later on) registered at Police Station Mamdot, District Ferozepur alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-3).

2. Vide order dated 03.02.2022, while issuing notice of motion, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the learned JMIC, Ferozpur and got their statements recorded. Report dated 07.04.2022 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 petitioner.

6. Resultantly, the cross version i.e. DDR No.38 dated 10.07.2021 under Sections 323 and 149 of IPC registered at Police Station Mamdot, District Ferozpur (Annexure P-2) in case FIR No.64 dated 10.07.2021 under Sections 324, 323, 148, 149 of IPC (Section 326 of IPC added later on) registered at Police Station Mamdot, District Ferozpur alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

25.07.2023
hemlata

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