

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M-9348-2023

Date of Decision:12.09.2023

Pawan Kumar

...Petitioner

Versus

State of Punjab and another

... Respondents

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

Present : Mr. Sandeep Arora, Advocate for the petitioner.
Mr. Mohit Chaudhary, AAG, Punjab.
Mr. G.S. Rawat, Advocate for respondent No. 2.

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. 275 dated 28.08.2021 under Sections 341, 427, 506, 148 and 149 at Police Station City, District Kapurthala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived between the parties.

2. Vide order dated 30.05.2023, 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-2)

3. Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Kapurthala and got their

statements recorded. Report dated 21.07.2023 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 petitioner.

6. Resultantly, FIR No. 275 dated 28.08.2021 under Sections 341, 427, 506, 148 and 149 at Police Station City, District Kapurthala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner

12.09.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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