

256 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10595-2020

Date of Decision:04.09.2023

Usha Kiran alias Ukiran

...Petitioner

vs.

State of Punjab and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Kulwant Singh Dhanora, Advocate
for the petitioner.

Mr. M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Naveen Siwach, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No.0087 dated 13.09.2016 under Sections 420, 406 and 120-B of IPC, registered at Police Station Naya Gaon, District SAS Nagar, Mohali (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 05.01.2023/17.04.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise.

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Kharar and got their statements recorded. Report dated 27.04.2023 has been received whereby after recording the statements of the parties, the Court below has shown its 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.0087 dated 13.09.2016 under Sections 420, 406 and 120-B of IPC, registered at Police Station Naya Gaon, District SAS Nagar, Mohali (Annexure P-1) alongwith all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) are hereby quashed qua the petitioner.

04.09.2023

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(N.S.SHEKHAWAT)
JUDGE

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