2023:PHHC:145963

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28221-2016 (O&M)
Date of Decision:16.11.2023

Balwant Singh and Others …Petitioners

vs.

State of Punjab and Anr. …Respondents

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

Present : Mr. Sarthak Jindal, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Rajat, Advocate for
respondent No.2.

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N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 273 dated 15.12.2005 under Sections 420,468,471 of IPC registered at Police Station Dharamkot District Moga alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit.

2. Vide order dated 21.03.2018, 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/affidavit.

3. Pursuant to aforesaid order, the parties have appeared before the JMIC,Moga and got their statements recorded. Report dated 04.04.2018 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

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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. 273 dated 15.12.2005 under Sections 420,468,471 of IPC registered at Police Station Dharamkot District Moga alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

7. All other pending applications, if any, disposed off.

(N.S.SHEKHAWAT)
JUDGE

16.11.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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