

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

236

CRM-M-17710-2023

Date of Decision: July 07, 2023

Gurcharan Singh and others

...Petitioners

Versus

State of Punjab and another

... Respondents

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

Present : Mr. Harpal Singh Sidhu, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. A.S. Khosa, Advocate
for respondent No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.19 dated 02.02.2023 registered under Sections 324, 323, 34 of IPC at Police Station Kot Ise Khan, District Moga (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 06.02.2023 (Annexure P-2) arrived between the parties.

2. Vide order dated 13.04.2023, 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 dated 06.02.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class Moga and got their statements recorded. Report dated 29.04.2023 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, FIR No.19 dated 02.02.2023 registered under Sections 324, 323, 34 of IPC at Police Station Kot Ise Khan, District Moga (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

July 07, 2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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