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2023:PHHC:131859

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32414-2020 (O&M)

Date of Decision:10.10.2023

Harpreet Singh @ Happy

...Petitioner

vs.

State of Punjab and Anr.

...Respondents

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

Present : Mr. Prince Sharma, Advocate
for the applicant/petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Anil Singh, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

CRM-40554-2023

1. Prayer in the application filed under Section 482 Cr.P.C. is for placing on record the Annexure P-5 to P-10.

2. Application is allowed, subject to just all exceptions. Annexures P-5 to P-10 are taken on record.

Main case

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 113 dated 09.06.2017 under Sections 420, 465,467,468,471 of IPC and 25 of Arms Act registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 12.03.2020 (Annexure P-2).

2. Vide order dated 13.10.2020, while issuing notice of motion, a Co-ordinate Bench of this Court had directed the parties to appear before the

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Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise compromise/affidavit dated 12.03.2020 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Tarn Taran and got their statements recorded. Report dated 24.12.2020 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. 113 dated 09.06.2017 under Sections 420, 465,467,468,471 of IPC and 25 of Arms Act registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

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

10.10.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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