

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

CRM-M-18429-2023

Date of Decision:17.07.2023

Ashok Chand & others

...Petitioners

vs.

State of Punjab and others

...Respondents

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

Present : Mr.A. S Khosa, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Nayandeep Rana, Advocate for
respondents No.2 to 6.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 373 dated 29.10.2008 under Sections 307, 452, 323, 427, 380, 148 and 149 of IPC and 25/27/54/59 Arms Act registered at Police Station Sadar, District Fazilka (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise Annexure P-2.

2. Vide order dated 18.04.2023, while issuing notice of motion, 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 learned ASJ, Fazilka and got their statements recorded. Report dated

12.07.2023 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. Learned counsel for the parties stated that there is no injury which attracts 307 of IPC and the said section was added only to aggravate the case.

5. I have heard counsel for the parties and gone through the case file.

6. 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.

7. Resultantly, FIR No. 373 dated 29.10.2008 under Sections 307, 452, 323, 427, 380, 148 and 149 of IPC and 25/27/54/59 Arms Act registered at Police Station Sadar District Fazilka (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

17.07.2023
hitesh

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