

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

260/2

CRM-M-27739-2019

Date of Decision:24.08.2023

Kishan

...Petitioner

Versus

State of Punjab and others

... Respondents

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

Present : Mr. Praagbir S. Dhindsa, Advocate for the petitioner.
Mr. Mohit Chaudhary, AAG, Punjab.
Mr. Luvraj S. Dhindsa, Advocate for
Mr. H.S. Dhindsa, Advocate
for respondents No. 4 and 5.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 196 dated 01.08.2017 registered under Sections 279, 337. 338 and 427 IPC at Police Station Division No. 7, Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise arrived between the parties.

2. Vide order dated 04.04.2022, 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.

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Ludhiana and got their statements recorded. Report dated 16.08.2022 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. 196 dated 01.08.2017 registered under Sections 279, 337. 338 and 427 IPC at Police Station Division No. 7, Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

24.08.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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