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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-43960-2023 in/and
CRM-M-33490-2023
Date of Decision: 19.10.2023Amardeep Singh @ Balla
and others

...Petitioners

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Naresh Jain, Advocate
for the applicant-petitioners.

Mr. Sanish Girdhar, AAG, Punjab.

Mr. Adish Jain, Advocate for
Mr. Yadwinder Singh, Advocate
for respondents No.2 to 4.

N.S.Shekhawat J. (Oral)**CRM-43960-2023**

1. The applicant-petitioners have moved the present application with a prayer to prepone the date of hearing in the main case.
2. Notice of the application.
3. Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent No.1-State.
4. Mr. Adish Jain, Advocate for Mr. Yadwinder Singh, Advocate accepts notice on behalf of respondents No.2 to 4 and has no objection, in case the date of hearing is ordered to be preponed today.
5. Application is allowed and the main case is taken up on board today itself.

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No.0043 dated 15.03.2019 under Sections 323, 324, 148, 149 of IPC, registered at Police Station Phase-1, SAS Nagar, Mohali (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise.

2. Vide order dated 14.07.2023, 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 Chief Judicial Magistrate-cum-Additional Civil Judge (Senior Division), SAS Nagar, Mohali and got their statements recorded. Report dated 21.09.2023 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.0043 dated 15.03.2019 under Sections 323, 324, 148, 149 of IPC, registered at Police Station Phase-1, SAS Nagar, Mohali (Annexure P-1) alongwith all consequential proceedings arising therefrom on the basis of compromise, are hereby quashed qua the petitioners.

19.10.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No