

2023:PHHC:136144

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

**CRM-M-37498-2023
Date of Decision:18.10.2023**

Jasbir Singh and others

...Petitioners

vs.

State of Punjab and Anr.

...Respondents

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

Present : Ms. Mandeep Kaur, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

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

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of complaint No. COMI-32-2017 (pending for 20.07.2023 in the Court of Manpreet Sohi, JMIC, Batala) under Sections 326,324,323,148,149 of IPC registered at Police Station Ghanie ke Bangar, Police District Batala (Annexure P-1) and summoning order dated 18.07.2020 passed by the Court of JMIC, Batala (Annexure P-2) and subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 13.06.2023 (Annexure P-3).

2. Vide order dated 02.08.2023, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise/affidavit dated 13.06.2023 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate First Class, Batala and got their statements recorded. Report

dated 23.08.2023 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, quashing of complaint No. COMI-32-2017 (pending for 20.07.2023 in the Court of Manpreet Sohi, JMIC, Batala) under Sections 326,324,323,148,149 of IPC registered at Police Station Ghanie ke Bangar, Police District Batala (Annexure P-1) and summoning order dated 18.07.2020 by the Court of JMIC, Batala (Annexure P-2) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

18.10.2023
hitesh

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