

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

CRM-M-35104-2023

Date of Decision:05.10.2023

Darshan Singh and Anr.

...Petitioners

vs.

State of Punjab and Another

...Respondents

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

Present : Mr. Lakhwinder Singh Mann, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Hardeep Singh, Advocate for
respondent 2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 42 dated 02.04.2022 under Section 379 of IPC registered at Police Station Sirhind, District Fatehgarh Sahib (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 07.07.2023 (Annexure P-2).

2. Vide order dated 21.07.2023, 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 compromise/affidavit dated 07.07.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the ACJM, Fatehgarh Sahib and got their statements recorded. Report dated 19.09.2023 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. 42 dated 02.04.2022 under Section 379 of IPC registered at Police Station Sirhind, District Fatehgarh Sahib (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

05.10.2023

hitesh

(N.S.SHEKHAWAT)
JUDGE

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