

2023:PHHC:131858
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35653-2023
Date of Decision:10.10.2023

Vinod Kumar and Ors.

...Petitioners

vs.

State of U.T Chandigarh and Anr.

...Respondents

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

Present : Mr. Rao Ajender Singh, Advocate
for the petitioners.

Mr. Akashdeep Singh, Addl, P.P.
for respondent No.1.

Mr. Rahul Dhanda, 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 an FIR No. 106 dated 26.02.2022 under Sections 147,149,323, 379-B,427,506 of IPC registered at Police Station City Rewari, District Rewari (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 29.05.2023 (Annexure P-2).

2. Vide order dated 26.07.2023, 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 the compromise compromise/affidavit dated 29.05.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Additional Sessions Judge, Rewari and got their statements recorded. Report dated 01.09.2023 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. 106 dated 26.02.2022 under Sections 147,149,323,379-B,427,506 of IPC registered at Police Station City Rewari, District Rewari (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

10.10.2023
hitesh

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