

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

292 CRM M-36800 of 2023
Date of Decision:31.10.2023

Prahlad Kumar @ Prahlad Talwar @ Majha and others ...Petitioners
Versus
State of Punjab and others ... Respondents

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

Present : Mr. Prikshit Thakur, Advocate for
Mr.Rahul Bhargava, Advocate, for the petitioners.

Mr. Sanish Girdhar, AAG, Punjab

Ms. J.S. Deol, Advocate for
Ms. Arti Kaur, Advocate, for respondents No. 2 and 3.

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. 40 dated 22.04.2020 registered under Sections 452, 427, 506, 148, 149 and 188 of IPC at Police Station D-Division, District Amritsar City (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived between the parties.

2. Vide order dated 31.07.2023, 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 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Amritsar and got their statements recorded. Report dated 09.10.2023 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. 40 dated 22.04.2020 registered under Sections 452, 427, 506, 148, 149 and 188 of IPC at Police Station D-Division, District Amritsar City (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

31.10.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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