

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

282

CRM-M-36424-2023 (O&M)

Date of decision: 16.10.2023

AJAYPAL SINGH

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present : Ms. Isha Goyal, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Munish Behl, Advocate for respondent No.2.

N.S.SHEKHAWAT. J.(Oral)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.90 dated 16.06.2006 registered under Sections 420, 465, 467, 468, 471 of the Indian Penal Code, 1860 at Police Station Sardoolgarh, District Mansa (Annexure P1) and subsequent proceedings arising therefrom on the basis of compromise dated 20.07.2023 (Annexure P-5).

2. A copy of draft of Rs.2,00,000/- bearing No.257118 has been handed over by learned counsel for petitioner to learned counsel appearing on behalf of respondent No.2 in the Court today and a photocopy of this draft has been retained on the file as mark "A".

3. Vide order dated 31.07.2023 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 dated 20.07.2023 (Annexure P-5).

4. Pursuant to aforesaid order, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Sardulgarh and got their statements recorded. Report dated 31.08.2023 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.

5. I have heard counsel for the parties and gone through the case file.

6. 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.

7. Resultantly, FIR No.90 dated 16.06.2006 registered under Sections 420, 465, 467, 468, 471 of the Indian Penal Code, 1860 at Police Station Sardoolgarh, District Mansa (Annexure P1) and alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

16.10.2023
Amandeep

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No