

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

283

CRM-M-36459-2023 (O&M)

Date of decision: 16.10.2023

LAKHWINDER SINGH AND ORS

....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present : Mr. D.S. Virk, Advocate for
Mr. G.P.S. Ghuman, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Shivraj, 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.19 dated 30.01.2021 registered under Sections 448, 147, 149, 506 of the Indian Penal Code, 1860 at Police Station Fatehgarh Sahib (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 20.07.2023 (Annexure P-2).

2. 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-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate First Class, Fatehgarh Sahib and got their statements

recorded. Report dated 12.09.2023 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.19 dated 30.01.2021 registered under Sections 448, 147, 149, 506 of the Indian Penal Code, 1860 at Police Station Fatehgarh Sahib (Annexure P-1) 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