

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

266

CRM-M-36562-2023 (O&M)

Date of Decision:12.10.2023

Deepak Kukkar and others

...Petitioners

Versus

State of Punjab and others

... Respondents

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

Present : Mr. Vikas Sheel Verma, Advocate, for the petitioners.
Mr. Mohit Chaudhary, AAG, Punjab.
Mr. Imran A. Ali, Advocate, for respondent No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. A short reply by way of an affidavit of the Deputy Superintendent of Police, Sub Division Abohar, District Fazilka has been filed on behalf of the respondent No.1-State and the same is taken on record.

2. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 34 dated 30.03.2023 registered under Sections 325, 323, 148 and 149 IPC at Police Station City 2, District Abohar, District Fazilka, Punjab (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 24.06.2023 (Annexure P-2) arrived between the parties.

3. Vide order dated 28.07.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for

getting their statements recorded with respect to the compromise deed 24.06.2023 (Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Abohar, and got their statements recorded. Report dated 24.08.2023 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. 34 dated 30.03.2023 registered under Sections 325, 323, 148 and 149 IPC at Police Station City 2, District Abohar, District Fazilka, Punjab (Annexure P-1) alongwith all

consequential proceedings arising therefrom are hereby quashed qua
the petitioners.

12.10.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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