

292

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-38502-2023
Date of decision: 13.12.2023**

MOHD. JUBER

...Petitioner

VERSUS

STATE OF UT CHANDIGARH AND ANOTHER

...Respondents

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

Present: Mr. Gurkirat Singh, Advocate
for the petitioner.

Mr. Anupam Bansal, Additional P.P., U.T., Chandigarh.

Ms. Srishti S. Sharma, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 0082 dated 23.11.2022 under Sections 323/324 of the Indian Penal Code, 1860 at Police Station IT Park, District Chandigarh (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

Vide order dated 07.08.2023 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 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Additional Chief Judicial Magistrate, Chandigarh and got their statements recorded. Report dated 01.12.2023 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.

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

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 petitioner.

Resultantly, FIR No. 0082 dated 23.11.2022 under Sections 323/324 of the Indian Penal Code, 1860 at Police Station IT Park, District Chandigarh (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

13.12.2023
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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