

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

297

CRM M-39758-2023

Date of Decision:20.11.2023

Vijay Kumar Thukral and others ...Petitioners
Versus
State of Punjab and another ... Respondents

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

Present : Mr. Vaibhav Narang, Advocate, for the petitioners.
Mr. Mohit Chaudhary, AAG, Punjab.
Mr. Kashish Saini, Advocate for
Ms. Sapna Narang, Advocate, for respondent No. 2.

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. 83 dated 02.05.2023 registered under Sections 406, 418, 420, 467, 468, 471 and 120-B IPC at Police Station Ranjit Avenue, District Amritsar (Annexure P-3) and all consequential proceedings arising therefrom on the basis of compromise dated 28.06.2023 (Annexure P-1) arrived between the parties.

2. Learned State counsel submits that complainant Lakhwinder Singh is not impleaded as a party in the present case. He is ordered to be impleaded as a party. Registry is directed to do the needful.

3. Vide order dated 16.08.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 28.06.2023 (Annexure P-1).

4. Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Amritsar and got their statements recorded. Report dated 31.10.2023 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.

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.

6. Resultantly, FIR No. 83 dated 02.05.2023 registered under Sections 406, 418, 420, 467, 468, 471 and 120-B IPC at Police

Station Ranjit Avenue, District Amritsar (Annexure P-3) alongwith
all consequential proceedings arising therefrom are hereby quashed
qua the petitioners.

20.11.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No