

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

CRM-M-43157-2022

Date of Decision:13.09.2023

Amninder Singh Kang @ Amninder Singh @ Billa ...Petitioner

vs.

State of Punjab and others ...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Ramandeep Kaur, Advocate for
 Mr. C.S.Bagri, Advocate, for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Ms. Anmol Preet Kaur, Advocate for
Mr. Mandeep Nagpal, Advocate
for respondents No.2 and 3.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No.123 dated 21.10.2012 under Sections 452, 323, 325, 506, 201, 34 of IPC, registered at Police Station Machhiwara, Tehsil Samarala, District Ludhiana alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 13.05.2022 (Annexure P-12) and the impugned order dated 06.06.2017 (Annexure P-11), whereby the petitioner has been declared proclaimed offender.

2. Vide order dated 04.05.2023, a Co-ordinate Bench of 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 13.05.2022 (Annexure P-12).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Samrala and got their statements recorded. Report dated 24.05.2023 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 petitioner.

6. Resultantly, FIR No.123 dated 21.10.2012 under Sections 452, 323, 325, 506, 201, 34 of IPC, registered at Police Station Machhiwara, Tehsil Samarala, District Ludhiana alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 13.05.2022 (Annexure P-12) and the impugned order dated 06.06.2017 (Annexure P-11), whereby the petitioner has been declared proclaimed offender are hereby quashed qua the present petitioner.

(N.S.SHEKHAWAT)
JUDGE

13.09.2023
hemlata

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