

269

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

CRM-M-40652-2023**Date of decision: 30.11.2023****MUKESH SAINI**

...Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondents

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

Present:- Mr. Nitin Kadian, Advocate for
Mr. Vishal Yadav, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

Mr. Yashveer Kharab, 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. 478 dated 16.09.2020 under Sections 323/34/506 of IPC registered at Police Station Quilla Panipat, District Panipat (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 31.07.2023 (Annexure P-2).

Vide order dated 21.08.2023 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 compromise dated 31.07.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Panipat and got their statements recorded. Report dated 22.09.2023 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.

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. 478 dated 16.09.2020 under Sections 323/34/506 of IPC registered at Police Station Quilla Panipat, District Panipat (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

30.11.2023
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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