

276 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41320-2023

Date of Decision:29.11.2023

Sadeek Singh @ Sadiq and others

...Petitioners

vs.

State of Punjab and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. S.K.Liberhan, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

None for the complainant.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 78 dated 23.10.2021 registered under Sections 365, 458, 427, 323, 148, 149 of the Indian Penal Code, 1860 at Police Station Sadar Morinda, District Rupnagar and all subsequent proceedings arising therefrom on the basis of compromise dated 04.08.2023 (Annexure P-2).

2. Vide order dated 21.08.2023, 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 04.08.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Rupnagar and got their statements recorded. Report dated 04.11.2023 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 petitioners.

6. Resultantly, FIR No. 78 dated 23.10.2021 registered under Sections 365, 458, 427, 323, 148, 149 of the Indian Penal Code, 1860 at Police Station Sadar Morinda, District Rupnagar and all subsequent proceedings arising therefrom on the basis of compromise dated 04.08.2023 (Annexure P-2) are hereby quashed qua the petitioners.

29.11.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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