

2023:PHHC:148849
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43640-2023
Date of Decision:22.11.2023

Gurjant Singh

...Petitioner

vs.

State of Punjab and Another

...Respondents

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

Present : Ms. Khushboo Garg, Advocate for
Mr. Rajeev K. Kapila, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Kunal, Advocate for
Mr. Raman Kumar, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. A short reply by way of an affidavit of Deputy Superintendent of Police Sub Division Tanda, District Hoshiarpur has been filed on behalf of respondent-State and the same is taken on record.

2. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 69 dated 13.04.2019 under Sections 323,341,506,427,447,511,34 of IPC registered at Police Station Tanda, District Hoshiarpur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

3. Vide order dated 01.09.2023, 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

(Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the JMIC, Dasuya and got their statements recorded. Report dated 18.11.2023 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.

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 petitioner.

7. Resultantly, FIR No. 69 dated 13.04.2019 under Sections 323,341,506,427,447,511,34 of IPC registered at Police Station Tanda, District Hoshiarpur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

(N.S.SHEKHAWAT)
JUDGE

22.11.2023
hitesh

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