

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

CRM-M-47380-2022

Date of Decision:03.08.2023

Vijay Kumar Malhotra and another

...Petitioners

vs.

State of Punjab and another

...Respondents

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

Present : Mr. Karan Sharma, Advocate for
 Mr. Nitin Thatai, Advocate
 for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Satnam Singh, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of DDR No.23 dated 14.11.2019, under Section 66 of the Police Act, 2007 of IPC registered at Police Station Division No.5, District Ludhiana (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 26.09.2022 (Annexure P-2).

2. Vide order dated 12.01.2023, 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 26.09.2022 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Additional Chief Judicial Magistrate, Ludhiana and got their statements recorded. Report dated 30.01.2023 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, DDR No.23 dated 14.11.2019, under Section 66 of the Police Act, 2007 of IPC registered at Police Station Division No.5, District Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

03.08.2023

hemlata

(N.S.SHEKHAWAT)
JUDGE

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