

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

CRM-M-46418-2023

Date of Decision:16.11.2023

Gurwinder Singh Bajwa

...Petitioner

vs.

State of Punjab and Anr.

...Respondents

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

Present : Mr. Kunal, Advocate for
Mr. Manmeet Kumar Arya, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Randeep Singh, Advocate for
Mr. Vipin Mahajan, 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 an FIR No. 135 dated 28.12.2019 under Sections 406,420 of IPC registered at Police Station Sadar Gurdaspur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 25.09.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Gurdaspur and got their statements recorded. Report dated 02.11.2023 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 petitioner.

6. Resultantly, FIR No. 135 dated 28.12.2019 under Sections 406,420 of IPC registered at Police Station Sadar Gurdaspur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

16.11.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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