

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

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CRM-M-52872-2021

Date of Decision:25.09.2023

Sanjay @ Sanju and others

...Petitioners

Versus

State of Punjab and others

... Respondents

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

Present : Mr. Rahul Bhargava, Advocate, for the petitioners.
Mr. Mohit Chaudhary, AAG, Punjab.
Ms. Arti Kaur, Advocate, for respondents No. 2 and 3.

N.S.SHEKHAWAT, J. (Oral)

1. At the outset, on oral request, made by the learned counsel for the petitioners, the offence under Section 307 IPC is ordered to be added in the head note as well as prayer clause of the petition and learned counsel for the petitioners is permitted to carry out the necessary corrections in the Court itself.

2. Learned counsel for the petitioners contends that the offence under Section 307 IPC has been added just to make the offence graver. He next contends that all injuries suffered by the complainant side were simple in nature.

3. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.13 dated 15.01.2020 registered under Sections 323, 324, 307, 452, 506, 148 and 149 IPC at Police Station Gate Hakima District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom

on the basis of compromise (Annexure P-2) arrived between the parties.

2. Vide order dated 17.12.2021, 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 (Annexure P-2)

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Amritsar, and got their statements recorded. Report dated 28.01.2022 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.13 dated 15.01.2020 registered under Sections 323, 324, 307, 452, 506, 148 and 149 IPC at Police Station Gate Hakima District Amritsar (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

25.09.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No