

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM M-50044 of 2022 (O&M)
Date of Decision:30.10.2023

Ajay Sahni @ Parbat Sahni ...Petitioner
Versus
State of Punjab and another ... Respondents

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

Present : Mr. Akashdeep Miglani, Advocate, for the petitioner.
Mr. M.S. Bajwa, DAG, Punjab.
Mr. Pulkit Sarwara, Advocate, for respondent No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 305 dated 07.09.2015 registered under Sections 420, 485 and 486 IPC (Sections 487, 468, 120-B IPC and Section 7 EC Act and Section 177 of M.C. Act added later on) at Police Station Focal Point, District Ludhiana (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 14.03.2023 passed by 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, Ludhiana and got their

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statements recorded. Report dated 13.04.2023 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. 305 dated 07.09.2015 registered under Sections 420, 485 and 486 IPC (Sections 487, 468, 120-B IPC and Section 7 EC Act and Section 177 of M.C. Act added later on) at Police Station Focal Point, District Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

30.10.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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