

2023:PHHC:084359

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-52195-2022

Date of Decision: July 05, 2023

Loveleen Goyal and others

...Petitioners

Versus

State of Punjab and another

... Respondents

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

Present : Mr. Kanav Bansal, Advocate for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Arun Gupta, Advocate for respondent No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 114 dated 23.09.2022 registered under Sections 342, 506, 427, 148 and 149 IPC at Police Station Bareta, District Mansa (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 02.11.2022 (Annexure P-2) arrived between the parties.

2. Vide order dated 14.11.2022 while issuing notice of motion, 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/affidavit dated 02.11.2022 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class Budhlada and got their statements recorded. Report dated 29.11.2022 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. 114 dated 23.09.2022 registered under Sections 342, 506, 427, 148 and 149 IPC at Police Station Bareta, District Mansa (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

July 05, 2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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