

225/A

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

CRM-M-50298-2023

Date of decision: 21.12.2023

AJAIB SINGH AND OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present: Mr. Amritpal Singh Sohal, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. L. S. Lakhanpal, Advocate
for the respondents.

N. S. SHEKHAWAT, J. (Oral)

Short reply has been filed by way of affidavit of Deputy Superintendent of Police, Sub-Division Majitha, District Amritsar (Rural), on behalf of respondent No.1-State, and the same is taken on record.

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 36 dated 29.03.2017 under Sections 452, 324, 323, 427, 148 and 149 of the Indian Penal Code, 1860 (Section 326 IPC added later on) at Police Station Kathunangal, District Amritsar (Annexure P-2) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 07.06.2023 (Annexure P-2).

Vide order dated 06.10.2023 while issuing notice of motion, 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 07.06.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Amritsar and got their statements recorded. Report dated 15.11.2023 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.

I have heard counsel for the parties and gone through the case file.

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.

Resultantly, FIR No. 36 dated 29.03.2017 under Sections 452, 324, 323, 427, 148 and 149 of the Indian Penal Code, 1860 (Section 326 IPC added later on) at Police Station Kathunangal, District Amritsar (Annexure P-2) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

21.12.2023
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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