

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

CRM-M-53927-2022

Date of Decision:03.08.2023

Jatinder Batra and others

...Petitioners

vs.

State of Punjab and Another

...Respondents

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

Present : Mr. Veneet Sharma, Advocate
 for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Manoj R. Sharma, 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. 0040 dated 30.04.2022 under Sections 420, 120-B of IPC registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 23.05.2022 (Annexure P-2).

2. Short reply by way of an affidavit of Deputy Superintendent of Police, Sub Division, Fatehgarh Churian, Police District Batala has been filed on behalf of the respondent No.1-State and the same is taken on record.

3. Vide order dated 21.11.2022 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 dated 23.05.2022 (Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the learned JMIC, Batala and got their statements recorded. Report dated 13.12.2022 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.

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

6. 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.

7. Resultantly, FIR No. 0040 dated 30.04.2022 under Sections 420, 120-B of IPC registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

03.08.2023
hemlata

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