

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

301

CRM-M-53613-2023 (O&M)

Date of Decision: 11.12.2023

Lucky @ Bramh Dutt and another

.....Petitioners

Versus

U.T.Chandigarh and another

.....Respondents

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

Present: Ms. Arshdeep Kaur, Advocate with
Mr. Yashpal Thakur, Advocate for the petitioners.

Mr. Anupam Bansal, Addl. PP, UT, Chandigarh

Mr. Harwinderjeet Singh Sandhu, 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. 0152 dated 02.09.2023 under Sections 324 and 34 of IPC registered at Police Station Sector 17, Chandigarh, District Chandigarh (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 04.09.2023 (Annexure P-2).

2. Vide order dated 20.10.2023 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/affidavit dated 04.09.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the

Chief Judicial Magistrate, Chandigarh and got their statements recorded.

Report dated 03.11.2023 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.

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. 0152 dated 02.09.2023 under Sections 324 and 34 of IPC registered at Police Station Sector 17, Chandigarh, District Chandigarh alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

11.12.2023
M.Sikka

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No