

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

280

CRM-M-56830-2022

Date of Decision:17.08.2023

Harbansh Kuar and others

...Petitioners

Versus

State of Punjab and another

... Respondents

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

Present : Mr. Tushar Sharma, Advocate for the petitioners.
Mr. Mohit Chaudhary, AAG, Punjab.
Mr. Rakesh Kumar, Advocate, for respondents No. 2 & 3.

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.0134 dated 01.11.2018 under Sections 323, 324, 452, 326, 148 and 149 IPC registered at Police Station Sadar Kapurthala District Kapurthala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 26.11.2022 (Annexure P-4) arrived between the parties.

2. Vide order dated 06.12.2022, 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 26.11.2022.

3. Pursuant to aforesaid order, the parties have appeared before the Additional Chief Judicial Magistrate Kapurthala and got their statements recorded. Report dated 21.04.2023 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 petitioners.

6. Resultantly, No.0134 dated 01.11.2018 under Sections 323, 324, 452, 326, 148 and 149 IPC registered at Police Station Sadar Kapurthala District Kapurthala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

17.08.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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