

279-2

2023:PHHC:163390
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57949-2023 (O&M)
Date of Decision:19.12.2023

Ashwani Kumar Joshi and others

...Petitioners

vs.

State of Punjab and others

...Respondents

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

Present : Mr. Vijay Kumar, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Kudrat Sareen, Advocate
for respondents No.2 and 3.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 98 dated 16.09.2015 (Annexure P-1) under Sections 323,324,506,148,149 of IPC registered at Police Station City Rahon, District SBS Nagar alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 26.04.2023 (Annexure P-3).

2. Vide order dated 20.11.2023, 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 26.04.2023 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, SBS Nagar and got their statements recorded. Report dated 16.12.2023 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. 98 dated 16.09.2015 (Annexure P-1) under Sections 323,324,506,148,149 of IPC registered at Police Station City Rahon, District SBS Nagar alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

19.12.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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