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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1146-2024
Date of decision: 08.02.2024

Gagandeep ...Petitioner
State of Punjab and another VERSUS ...Respondents

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

Present: Mr. Amit Singh Kang, Advocate
for the petitioner.

Mr. M. S. Bajwa, DAG, Punjab.

Mr. S. S. Nagra, Advocate for
Mr. R. G. Chandiwalla, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

A short reply by way of an affidavit of Assistant Commissioner of Police, North Ludhiana has been filed on behalf of the respondent-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. 176 dated 07.07.2021 registered under Sections 153-A, 435 of IPC, 1860, Section 68 of Information and Technology Act, 2000 and Section 3 of Punjab Prevention of Defacement Property Ordinance Act, 1997, at Police Station Salem Tabri, District Police Commissionerate Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.01.2024 (Annexure P-2).

Vide order dated 11.01.2024 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 02.01.2024 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Ludhiana and got their statements

recorded. Report dated 06.02.2024 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 petitioner.

Resultantly, FIR No. 176 dated 07.07.2021 registered under Sections 153-A, 435 of IPC, 1860, Section 68 of Information and Technology Act, 2000 and Section 3 of Punjab Prevention of Defacement Property Ordinance Act, 1997, at Police Station Salem Tabri, District Police Commissionerate Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

08.02.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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