

2024:PHHC:018460
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1918-2024
Date of Decision:09.02.2024

Nand Kishore Ahuja

...Petitioner

vs.

State of Haryana and Anr.

...Respondents

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

Present : Mr. Jimmy Singla, Advocate
for the petitioner.

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

Mr. Ashok Kumar Jindal, 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. 311 dated 24.02.2022 under Sections 323,506 of IPC (Section 148,149,379-B,509 of IPC added later on) registered at Police Station Shivaji Nagar, Gurugram District Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 04.10.2022 (Annexure P-3).

2. Vide order dated 15.1.2024 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 04.10.2022 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Gurugram and got their statements recorded. Report dated 30.01.2024

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.

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 petitioner.

6. Resultantly, FIR No. 311 dated 24.02.2022 under Sections 323,506 of IPC (Section 148,149,379-B,509 of IPC added later on) registered at Police Station Shivaji Nagar, Gurugram District Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

09.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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