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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3486-2024

Date of decision: 27.02.2024

Gurkirat Singh Sandhu and others

...Petitioners

Versus

State of Punjab and another

...Respondents

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

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioners.

Ms. Amrita Garg, AAG, Punjab.

Mr. Sandeep Sharma, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

Learned counsel for the parties submit that in the present case, no injury was declared to be dangerous to life and the offence under Section 307 IPC has been wrongly invoked.

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 173 dated 02.10.2021 registered under Sections 307, 452, 506, 427, 323, 148, 149, 120-B of IPC and under Sections 25, 27 of Arms Act, 1959, at Police Station Kot Ise Khan, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.10.2023.

Vide order dated 23.01.2024 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 30.10.2023.

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

Report dated 08.02.2024 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 petitioners.

Resultantly, FIR No. 173 dated 02.10.2021 registered under Sections 307, 452, 506, 427, 323, 148, 149, 120-B of IPC and under Sections 25, 27 of Arms Act, 1959, at Police Station Kot Ise Khan, District Moga (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

27.02.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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