

204

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

**CRM-M-2743-2024
Date of decision: 14.02.2024**

HARBANS SINGH

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present: Mr. J.K. Singla, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

Mr. Deepak Kohli, Advocate for
Ms. Rakhi, Advocate
for the respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 51 dated 18.05.2023 (Annexure P-1) under Section 379 of Indian Penal Code, 1860 and later on offence under Section 411 of Indian Penal Code, 1860 was added vide DDR No.34 dated 11.06. 2023, registered at Police Station Phool, District Bathinda alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 03.01.2024 (Annexure P-2).

Vide order dated 19.01.2024 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 03.01.2024 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Phul and got their statements

recorded. Report dated 09.02.2024 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. 51 dated 18.05.2023 (Annexure P-1) under Section 379 of Indian Penal Code, 1860 and later on offence under Section 411 of Indian Penal Code, 1860 was added vide DDR No.34 dated 11.06. 2023, registered at Police Station Phool, District Bathinda, on the basis of compromise dated 03.01.2024 (Annexure P-2) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

14.02.2024
Aman Dua

(N. S. SHEKHAWAT)
JUDGE

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