

304

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5000-2024
Date of decision: 29.02.2024

Balkaran Singh and others ...Petitioners

Versus

State of Punjab and another ...Respondents

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

Present: Mr. Aayush Goyal, Advocate
for the petitioners.

Mr. Madhur Sharma, AAG, Punjab.

Mr. Rahul Noorie, Advocate for
Mr. Impinder Dhaliwal, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. No.0119 dated 29.09.2017 registered under Sections 452, 506, 323 and 34 IPC at Police Station Kotbhai, District Shri Muktsar Sahib (Annexure P-1) and complaint bearing No. COMI/48/2018 dated 10.08.2018 under Section 452, 506, 323 and 34 IPC titled as "Gurjant Singh Vs. Balkaran Singh and others" and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-5).

Vide order dated 01.02.2024 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 compromise (Annexure P-5).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Gidderbaha and got their statements recorded. Report dated 19.02.2024 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. No.0119 dated 29.09.2017 registered under Sections 452, 506, 323 and 34 IPC at Police Station Kotbhai, District Shri Muktsar Sahib (Annexure P-1) and complaint bearing No. COMI/48/2018 dated 10.08.2018 under Section 452, 506, 323 and 34 IPC titled as "Gurjant Singh Vs. Balkaran Singh and others" alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

29.02.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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