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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5662-2024
Date of decision:04.04.2024

Amarjit Singh and another

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

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

Present: Mr. Shagundeeep Singh Brar, Advocate
for the petitioner(s).

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

Mr. G. S. Nahel, 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 cross case i.e. DDR No. 27 dated 28.06.2021 under Sections 323, 324, 506, 34 of IPC at Police Station Sadar Patiala (Annexure P-2), in FIR No. 161 dated 29.06.2021 registered under Sections 324, 341, 323, 506, 148, 149 of PC and Section 326 IPC added later on, at Police Station Sadar, Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

Vide order dated 05.02.2024 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 (Annexure P-3).

Pursuant to aforesaid order, the parties have appeared before the learned Additional Chief Judicial Magistrate, Patiala and got their statements recorded. Report dated 19.03.2024 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(s).

Resultantly, cross case i.e. DDR No. 27 dated 28.06.2021 under Sections 323, 324, 506, 34 of IPC at Police Station Sadar Patiala (Annexure P-2), in FIR No. 161 dated 29.06.2021 registered under Sections 324, 341, 323, 506, 148, 149 of PC and Section 326 IPC added later on, at Police Station Sadar, Patiala, District Patiala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

04.04.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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