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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-8614-2020****Date of Decision: 05.03.2024**

Gurwinder Singh and others

...Petitioner

vs.

State of Punjab and others

...Respondent

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

Present : Mr. H.S.Bedi, Advocate for
Mr. P.S. Ahluwalia, Advocate
for the petitioners.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Shivam Vashisht, Advocate for
Mr. P.S.Baidwan, Advocate
for respondents No.2 and 3.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 09 dated 14.01.2018 registered under Sections 458, 323, 506 and 34 of IPC (Section 458 IPC was added and Section 452 of IPC strike out during investigation) Police Station Bassi Pathana, District Fatehgarh Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 05.11.2019 (Annexure P-3).

2. Vide order dated 02.08.2021, 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 05.11.2019 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Fatehgarh Sahib and got their statements recorded. Report dated 07.09.2021 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 petitioners.

6. Resultantly, FIR No. 09 dated 14.01.2018 registered under Sections 458, 323, 506 and 34 of IPC (Section 458 IPC was added and Section 452 of IPC strike out during investigation) Police Station Bassi Pathana, District Fatehgarh Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 05.11.2019 (Annexure P-3) are hereby quashed qua the present petitioners.

(N.S.SHEKHAWAT)
JUDGE

05.03.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No