

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11022-2024

Date of Decision: 10.04.2024

Mukesh Sahni and another

...Petitioners

vs.

State of Punjab and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Pawan Sharma, Advocate
for the petitioners.

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

Mr. B.D.Sharma, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 175 dated 08.09.2016 registered under Sections 420, 465, 467, 468, 471, 120-B of IPC at Police Station City Kharar, District SAS Nagar, Mohali (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 13.02.2024 (Annexure P-2).

2. Vide order dated 04.03.2024, 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 13.02.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Kharar and got their statements recorded. Report dated 12.03.2024 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.

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. 175 dated 08.09.2016 registered under Sections 420, 465, 467, 468, 471, 120-B of IPC at Police Station City Kharar, District SAS Nagar, Mohali (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 13.02.2024 (Annexure P-2) are hereby quashed qua the petitioners.

10.04.2024.
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(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No