

270

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

**CRM-M-13575-2022
Date of decision: 23.01.2024**

SUSHIL KUMAR

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present: Mr. P. K. S. Phoolka, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Davinder Kumar, Advocate
for 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. 0208 dated 30.10.2018 under Sections 458, 323 and 34 of Indian Penal Code, 1860 registered at Police Station Canal Colony, Bathinda, District Bathinda (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise and affidavits dated 23.03.2022 (Annexure P-2 to Annexure P-4).

Vide order dated 18.12.2023 while issuing notice of motion, this Court had again directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise and affidavits dated 23.03.2022 (Annexure P-2 to Annexure P-4).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Bathinda and got their statements recorded. Report dated 22.01.2024 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. 0208 dated 30.10.2018 under Sections 458, 323 and 34 of Indian Penal Code, 1860 registered at Police Station Canal Colony, Bathinda, District Bathinda (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

23.01.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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