

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14362-2024
Date of Decision:25.04.2024

Nirmaya Chhetri and Anr. ...Petitioners

vs.

State of U.T Chandigarh and Others ...Respondents

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

Present : Mr. Sanjeev Patiyal, Advocate
for the petitioners.

Mr. Anil Kumar Lamdharia, Addl.P.P, U.T, Chandigarh.

Mr. Deepanshu Rana, Advocate
for respondents No.2 to 4.

N.S.Shekhawat J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 326 dated 26.12.2022 under Sections 323,341 and 34 of IPC (Section 326 of IPC added later on) registered at Police Station Sector-36, Chandigarh (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).
2. Vide order dated 20.03.2024, 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-2).
3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Chandigarh and got their statements recorded. Report dated 22.04.2024 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. 326 dated 26.12.2022 under Sections 323,341 and 34 of IPC (Section 326 of IPC added later on) registered at Police Station Sector-36, Chandigarh (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

25.04.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No