

244 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19588-2023

Date of Decision:20.01.2024

Shinda Singh @ Jagpal Singh and others

...Petitioners

vs.

State of Punjab and another

...Respondents

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

Present : Mr. Manish, Advocate for
Mr. Vishal Mittal, Advocate, for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Sandeep Kumar Bansal, 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.0018 dated 08.03.2023 under Sections 325, 323, 34 of IPC, registered at Police Station Sadar Malout, District Sri Muktsar Sahib, Punjab (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise deed and affidavit dated 18.03.2023 (Annexures P-2 and P-3).

2. Vide order dated 21.04.2023, 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 deed and affidavit dated 18.03.2023 (Annexures P-2 and P-3).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Malout and got their statements recorded. Report dated 31.05.2023 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 petitioner.

6. Resultantly, FIR No.0018 dated 08.03.2023 under Sections 325, 323, 34 of IPC, registered at Police Station Sadar Malout, District Sri Muktsar Sahib, Punjab (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise deed and affidavit dated 18.03.2023 (Annexures P-2 and P-3) are hereby quashed qua the present petitioners.

20.01.2024
hemlata

(N.S.SHEKHAWAT)
JUDGE

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