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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28803-2024
Date of decision: 03.12.2024

GURKIRAT SINGH @ KIRAT AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

Present: Mr. Didar Singh, Advocate for
Mr. Inderpreet Singh, Advocate
for the petitioner(s).

Mr. Deepinder Brar, Sr. DAG, Punjab.

Mr. Sanpreet Singh Kalra, Advocate
for respondents No.2 to 10.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 11, dated 18.01.2022, registered under Sections 307, 323, 148, 149, 427, 188 and 120-B of IPC and Section 51 of the Disaster Management Act, 2005, Police Station Division No.8, Ludhiana (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise dated 08.02.2023 (Annexure P-2).

Vide order dated 31.05.2024 while issuing notice of motion, by 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 08.02.2023 (Annexure P-2).



Pursuant to aforesaid order, the parties have appeared before the Chief Judicial Magistrate, Ludhiana and got their statements recorded. Report dated 05.09.2024 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(s).

Resultantly, FIR No. 11, dated 18.01.2022, registered under Sections 307, 323, 148, 149, 427, 188 and 120-B of IPC and Section 51 of the Disaster Management Act, 2005, Police Station Division No.8, Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

03.12.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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