

261-B

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29335-2023
Date of decision: 12.02.2024

NAIB SINGH & OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB & OTHERS

...Respondents

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

Present: Mr. Bharat Kumar, Advocate
for the petitioners.

Mr. I.P.S. Sabherwal, DAG, Punjab.

Mr. Kulwinder Singh, Advocate
for respondents No.2 to 5.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of DDR No.42 dated 07.08.2021 under Sections 323, 148, 149 of Indian Penal Code, 1860, Police Station Sadar Mansa, District Mansa (Annexure P-1) in case FIR No. 232 dated 07.08.2021 under Sections 325, 308, 452, 323, 148, and 149 of Indian Penal Code, 1860 registered at Police Station Sadar Mansa, District Mansa (Annexure P-2) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 08.05.2023 (Annexure P-3).

Vide order dated 16.01.2024 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 dated 08.05.2023 (Annexure P-3).

Pursuant to aforesaid order, the parties have appeared before the learned Additional Chief Judicial Magistrate, Mansa and got their

statements recorded. Report dated 01.02.2024 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 petitioners.

Resultantly, DDR No.42 dated 07.08.2021 under Sections 323, 148, 149 of Indian Penal Code, 1860, Police Station Sadar Mansa, District Mansa (Annexure P-1) in case FIR No. 232 dated 07.08.2021 under Sections 325, 308, 452, 323, 148, and 149 of Indian Penal Code, 1860 registered at Police Station Sadar Mansa, District Mansa (Annexure P-2) on the basis of compromise dated 08.05.2023 (Annexure P-3) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

12.02.2024
Aman

(N. S. SHEKHAWAT)
JUDGE

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