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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37596-2024
Date of decision: 02.09.2024

KASHMIR SINGH SANDHU AND OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present:- Mr. G. S. Jagpal, Advocate
for the petitioners.

Mr. M. S. Bajwa, DAG, Punjab.

Mr. I.P.S. Kohli, Advocate
for respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of Complaint No.COMI. 383/2015 dated 29.09.2015 registered under Sections 323, 336, 342, 347, 364, 506, 511 read with Section 34 IPC and Section 25/54/59 of Arms Act, titled as “Inderjit Kaur Vs. Kashmir Singh Sandhu and others (Annexure P-1) pending in the Court of Judicial Magistrate First Class, Jalandhar; order dated 07.06.2018 (Annexure P-2) passed by Judicial Magistrate First Class, Jalandhar, whereby the petitioners have been summoned under Sections 506, 342, 347 of IPC; order dated 19.01.2023 (Anneuxre P-3) passed by Judicial Magistrate First Class, Jalandhar vide which, petitioners have been charge sheeted under Sections 506, 342 and 347 IPC and all the consequential proceedings arising therefrom on the basis of compromise dated 08.01.2024 (Annexure P-5).
2. Vide order dated 05.08.2024 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 08.01.2024 (Annexure P-5).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Jalandhar and got their statements recorded. Report dated 29.08.2024 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, Complaint No.COMI. 383/2015 dated 29.09.2015 registered under Sections 323, 336, 342, 347, 364, 506, 511 read with Section 34 IPC and Section 25/54/59 of Arms Act, titled as “Inderjit Kaur Vs. Kashmir Singh Sandhu and others (Annexure P-1) pending in the Court of Judicial Magistrate First Class, Jalandhar; order dated 07.06.2018 (Annexure P-2) passed by Judicial Magistrate First Class, Jalandhar, whereby the petitioners have been summoned under Sections 506, 342, 347 of IPC; order dated 19.01.2023 (Anneuxre P-3) passed by Judicial Magistrate First Class, Jalandhar vide which, petitioners have been charge sheeted under Sections 506, 342 and 347 IPC alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

02.09.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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