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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38754-2024
Date of decision: 23.10.2024

HARCHARAN SINGH CHEEMA AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present: Mr. Manbir Singh Batth, Advocate
for the petitioner(s).

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

Mr. Sauman Singh Gill, Advocate
for respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 for quashing of an FIR No. 226 dated 29.08.2022 under Sections 323, 341, 427, 452, 506, 148 and 149 of IPC registered at Police Station Division-6, District Ludhiana (Annexure P-1) (offences under Section 307 and 452 IPC were deleted by Investigating Agency vide GD No.020 dated 08.12.2022 and offence under Section 451 was added) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 20.11.2023 (Annexure P-2).

Vide order dated 16.09.2024 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 20.11.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate First Class, Ludhiana and got their statements recorded.

Report dated 10.10.2024 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. 226 dated 29.08.2022 under Sections 323, 341, 427, 452, 506, 148 and 149 of IPC registered at Police Station Division-6, District Ludhiana (Annexure P-1) (offences under Section 307 and 452 IPC were deleted by Investigating Agency vide GD No.020 dated 08.12.2022 and offence under Section 451 was added) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

23.10.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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