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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41093-2024
Date of decision: 19.09.2024

OM PARKASH AND OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present: Mr. Ajay Chaudhary, Advocate for
Mr. Vikas Kumar Gupta, Advocate
for the petitioners.

Mr. Deepinder Brar, Sr. DAG, Punjab.

Mr. Rahul Rana, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section under Section 482 of the Code of Criminal Procedure for quashing of the DDR No.37 dated 06.12.2023 under Sections 323, 324, 447, 148, 149 and 506 IPC registered at Police Station Garhshankar, District Hoshiarpur in FIR No.197 dated 02.12.2023 under Sections 324, 148, 149 and 506 IPC registered at Police Station Garhshankar, District Hoshiarpur (Annexure P-1), alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 04.05.2024 (Annexure P-2).
2. Vide order dated 27.08.2024 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 04.05.2024 (Annexure P-2).
3. Pursuant to aforesaid order, the parties have appeared before the Sub Divisional Judicial Magistrate, Garhshankar and got their statements

recorded. Report dated 30.08.2024 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, DDR No.37 dated 06.12.2023 under Sections 323, 324, 447, 148, 149 and 506 IPC registered at Police Station Garhshankar, District Hoshiarpur in FIR No.197 dated 02.12.2023 under Sections 324, 148, 149 and 506 IPC registered at Police Station Garhshankar, District Hoshiarpur (Anneuxre P-1), alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

19.09.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No