

2024.PHHC:119430



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

SR. No.274

CRM-M-39323-2024

Date of decision:11.09.2024

Sawinder Singh @ Surinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

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

Present: Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate
for the petitioner.

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

Mr. Aazam Khan, Advocate for respondent No.2.

N.S. SHEKHAWAT, J.

1. The instant petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.133 dated 19.10.2023 under Sections 279/337/338/427 IPC registered at Police Station Dera Baba Nanak, District Batala (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 22.04.2024 (Annexure P-2).
2. Vide order dated 13.08.2024, 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 22.04.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Additional Civil Judge (Senior Division)-cum-SDJM, Batala and as per report dated 03.09.2024, 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, FIR No.133 dated 19.10.2023 under Sections 279/337/338/427 IPC registered at Police Station Dera Baba Nanak, District Batala (Annexure P-1), alongwith all consequential proceedings arising therefrom, is hereby quashed qua the petitioners.

11.09.2024
mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES / NO
YES / NO