

2024:PHHC:119414



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

SR. No.273

CRM-M-39213-2024

Date of decision:11.09.2024

Albert Masih and others

...Petitioners

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Geeteshwar Saini, Advocate for
Mr. Raj Kumar Arya, Advocate for the petitioners.

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

Ms. Sukhveer Kaur, Advocate for respondents No.2 to 5.

N.S. SHEKHAWAT, J.

1. The instant petition has been filed for quashing of FIR No.0054 dated 28.05.2024 under Sections 452/323/148/149 IPC registered at Police Station Kalanpur, District Gurdaspur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 01.07.2024 (Annexure P-2).

2. Vide order dated 13.08.2024, 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 01.07.2024

(Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Gurdaspur and as per report dated 09.09.2024, 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, case, i.e. FIR No.0054 dated 28.05.2024 under Sections 452/323/148/149 IPC registered at Police Station Kalanpur, District Gurdaspur (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