



312

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40064-2024
Date of decision: 24.10.2024

AMANDEEP SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ORS

...Respondent(s)

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

Present: Mr. Ankit Joshi, Advocate
for the petitioner(s).

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

Mr. Ajay Singh, Advocate
for respondents No.2 to 4.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 428 of the Code of Criminal Procedure for quashing of an FIR No.155 dated 08.07.2024 registered under Sections 109, 126(2), 115(2), 191(3) and 190 of Bharatiya Nagarik Suraksha Sanhita, 2023, at Police Station Patran, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.07.2024 (Annexure P-2).

Learned counsel for the parties submit that in the present case, there is no medical opinion by the Medical Board declaring the injuries “dangerous to life” and the offence under Section 307 IPC has been wrongly added. Learned counsel further contend that even the police had filed application to the Medical Officer, CHC Patra, Patiala, but no opinion was given by the doctors with regard to the nature of injuries.

Vide order dated 20.08.2024 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 23.07.2024 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate First Class, Samana and got their statements recorded. Report dated 10.09.2024 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.155 dated 08.07.2024 registered under Sections 109, 126(2), 115(2), 191(3) and 190 of Bharatiya Nagarik Suraksha Sanhita, 2023, at Police Station Patran, District Patiala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

24.10.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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