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

**CRM-M-50398-2021
Date of decision: 28.08.2024**

SAHIL KHARBAS

...Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present:- Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

Mr. Deepinder Brar, Sr. DAG, Punjab.

Mr. Harpal Singh, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 0114 dated 27.07.2020 under Sections 452, 323, 148 and 149 IPC, 1860 and Sections 25, 27, 54 and 59 of the Arms Act, 1959, (offences under Sections 325 and 326 IPC added subsequently) registered at Police Station Bahavwala, District Fazilka (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of affidavit dated 02.11.2021 (Annexure P-2).

Vide order dated 02.12.2021 while issuing notice of motion, by a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the affidavit dated 02.11.2021 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate First Class, Abohar and got their statements recorded. Report dated 18.01.2022 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.

Resultantly, FIR No. 0114 dated 27.07.2020 under Sections 452, 323, 148 and 149 IPC, 1860 and Sections 25, 27, 54 and 59 of the Arms Act, 1959, (offences under Sections 325 and 326 IPC added subsequently) registered at Police Station Bahavwala, District Fazilka (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

28.08.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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