

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43855-2023
Date of decision: 31.01.2024

NARESH KUMAR SHARMA ...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS ...Respondents

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

Present: Mr. Hitesh Chopra, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Anil Kumar, Advocate
for respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.180 dated 21.10.2021 under Sections 279, 337, 338 & 427 of Indian Penal Code, 1860 registered at Police Station Shahpur Kandi Tehsil and District Pathankot (Annexure P-1), and subsequent proceedings arising therefrom, on the basis of compromise dated 22.08.2023 (Annexure P-2) arrived at between the parties.

Vide order dated 02.09.2023 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 compromise dated 22.08.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Chief Judicial Magistrate, Pathankot and got their statements recorded. Report dated 14.09.2023 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.180 dated 21.10.2021 under Sections 279, 337, 338 & 427 of Indian Penal Code, 1860 registered at Police Station Shahpur Kandi Tehsil and District Pathankot (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

31.01.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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