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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45352-2023

Date of decision: 14.03.2024

Chetan Kumar

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

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

Present: Ms. Shallu Kumar, Advocate for
Mr. Naveen Kumar Mahajan, Advocate
for the petitioner.

Mr. Jasjit Singh, DAG, Punjab.

Mr. Devansh Khanna, Advocate
for the petitioner.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 223 dated 27.12.2016 registered under Sections 420 and 406 of IPC at Police Station City Phagwara, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.11.2020 (Annexure P-2).

Vide order dated 13.09.2023 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 19.11.2020 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Phagwara and got their statements recorded. Report dated 13.02.2024 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.

Resultantly, FIR No. 223 dated 27.12.2016 registered under Sections 420 and 406 of IPC at Police Station City Phagwara, District Kapurthala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

14.03.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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