



273/10

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45847-2024

Date of Decision: 26.11.2024

Jarnail Singh Bajwa

...Petitioner

vs.

State of Punjab and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Nikhil Ghai, Advocate
for the petitioner.Mr. Manpreet Singh Longia, AAG, Punjab and
Mr. Deepinder Singh Brar, Senior DAG, Punjab.Mr. Vikas Malik, Advocate for Mr. A.S.Virk, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No. 12 dated 29.05.2023 registered under Sections 406, 420 of IPC, Police Station NRI, District SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 04.09.2024 (Annexure P-2).

2. Vide order dated 13.09.2024, 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 04.09.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, SAS Nagar and got their statements recorded. Report dated 27.09.2024 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.

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 petitioner.

6. Resultantly, FIR No. 12 dated 29.05.2023 registered under Sections 406, 420 of IPC, Police Station NRI, District SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 04.09.2024 (Annexure P-2) are hereby quashed qua the petitioner, subject to payment of costs of Rs. 50,000/-, out of which Rs.25,000/- shall be deposited with the Punjab and Haryana High Court Bar Clerks' Association and Rs.25,000/- shall be deposited with the Punjab and Haryana High Court Lawyers' Welfare Association.

7. In case, the costs is not deposited within a period of one month from today, the petition shall be deemed to be dismissed.

26.11.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(N.S.SHEKHAWAT)
JUDGE