

2024:PHHC:129745



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CRM M-49053 of 2023
Date of Decision: 30.09.2024

Jagdeep and another ...Petitioners
Versus
State of Punjab and another ... Respondents

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

Present : Mr. J.S. Thind, Advocate
for the petitioners.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

Mr. Manjit Singh Gehlawat, Advocate, for respondent
No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 of B.N.S.S. for quashing of an FIR No. 61 dated 05.05.2023 under Sections 323, 341, 379-B, 506, 148 and 149 of IPC registered at Police Station Moonak (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 15.09.2023 (Annexure P-2).
2. Vide order dated 29.11.2023 while issuing notice of motion, 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 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Sub Divisional Judicial Magistrate, Moonak, and got their statements recorded. Report dated 30.07.2024 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.

5. I have heard counsel for the parties and gone through the case file.

6. 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 petitioners.

7. Resultantly, FIR No. 61 dated 05.05.2023 under Sections 323, 341, 379-B, 506, 148 and 149 of IPC registered at Police Station Moonak (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

30.09.2024
amit rana

(N.S.SHEKHAWAT)
JUDGE

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