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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46719-2024
Date of decision: 29.10.2024

KUSHAL MALHOTRA

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present: Mr. Rahul Kumar Prashar, Advocate for
Mr. Varun Goyal, Advocate
for the petitioner(s).

Mr. Deepinder Brar, Sr. DAG, Punjab.

Mr. Amit Kaith, Advocate for
Mr. Sumit Singh Bairagi, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 for quashing of an FIR No. 54 dated 20.04.2024, registered under Sections 406, 420,506 of IPC, Police Station Moti Nagar, District Police Commissionerate, Ludhiana (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 13.05.2024 (Annexure P-2).

Vide order dated 19.09.2024 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 13.05.2024 (Annexure P-2).



Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate First Class, Ludhiana and got their statements recorded. Report dated 08.10.2024 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(s).

Resultantly, FIR No. 54 dated 20.04.2024, registered under Sections 406, 420, 506 of IPC, Police Station Moti Nagar, District Police Commissionerate, Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

29.10.2024

M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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