

266

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53197-2022
Date of decision: 03.09.2024

INDERJIT SINGH

...Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

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

Present: Mr. Munish Garg, Advocate for
Mr. Nikhil Kumar, Advocate
for the petitioner.

Mr. M. S. Bajwa, DAG, Punjab.

Mr. Dushyant Singh, Advocate for
Mr. Rupinderjit Singh, Advocate
for respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of an FIR No. 248 dated 03.09.2022 under Sections 323, 341, 325 and 308 (added later on) IPC registered at Police Station Phillaur, District Jalandhar Rural, Punjab (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 26.10.2022 (Annexure P-2).
2. Vide order dated 08.05.2024 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 26.10.2022 (Annexure P-2).
3. Pursuant to aforesaid order, the parties have appeared before the Sub-Divisional Judicial Magistrate, Phillaur and got their statements recorded.

Report dated 18.05.2024 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. 248 dated 03.09.2022 under Sections 323, 341, 325 and 308 (added later on) IPC registered at Police Station Phillaur, District Jalandhar Rural, Punjab (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

03.09.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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