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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50231-2024
Date of decision: 18.11.2024

KARNAIL SINGH AND ORS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present: Ms. Sushma Sharma, Advocate for
Mr. Ramesh Sharma, Advocate
for the petitioner(s).

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

Ms. Soni, Advocate for
Mr. B. S. Jaswal, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanita, 2023 for quashing of FIR No. 47 dated 04.04.2020,
registered under Sections 452, 323, 427,148 and 149 of IPC (offence under
Sections 458 and 201 of IPC added later on, Police Station Arniwala, District
Fazilka (Annexure P-1) and subsequent proceedings arising therefrom on the
basis of compromise dated 04.09.2024 (Annexure P-2).

Vide order dated 14.10.2024 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 04.09.2024 (Annexure P-2).



Pursuant to aforesaid order, the parties have appeared before the 05.11.2024 and got their statements recorded. Report dated Judicial Magistrate First Class, Fazilka 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. 47 dated 04.04.2020, registered under Sections 452, 323, 427,148 and 149 of IPC (offence under Sections 458 and 201 of IPC added later on, Police Station Arniwala, District Fazilka (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

18.11.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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