

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-57864-2022 (O&M)

Date of Decision: 19.03.2024

Nabidin @ Namidin	...Petitioners
Versus	
State of Punjab & another	...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vishnu Dutt, Advocate, for the petitioner.
Mr. Vishavjeet Singh Virk, DAG, Punjab.
Mr. Naveen Bawa, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks quashing of cross-case bearing GD No.38 dated 29.09.2020 registered at Police Station Jamalpur, Ludhiana, under Sections 323, 341, 427, 34 IPC (Section 201 IPC added later on) in FIR No.162 dated 26.09.2020 registered at Police Station Jamalpur, District Ludhiana, under Sections 323, 427, 451, 506, 341, 34 IPC (Section 201 IPC added later on) and all subsequent proceedings emanating therefrom on the basis of a compromise stated to have been effected between the parties.
2. Vide order dated 12.12.2022, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate Ist Class, Ludhiana, has been received, wherein it has been reported that the statements of petitioner – Nabidin @ Namidin and other accused, namely, Maju, Kaka, Rahim @ Abdul Rahim, Shafi as well as of complainant – Hanif have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Hanif in his statement has stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate Ist Class, Ludhiana, has specifically opined that the parties have entered into compromise without any coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and cross-case bearing GD No.38 dated 29.09.2020 registered at Police Station Jamalpur, Ludhiana, under Sections 323, 341, 427, 34 IPC (Section 201 IPC added later on) in FIR No.162 dated 26.09.2020 registered at Police Station Jamalpur, District Ludhiana, under Sections 323, 427, 451, 506, 341, 34 IPC (Section 201 IPC added later on) and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

19.03.2024

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(GURVINDER SINGH GILL)
JUDGEWhether speaking/reasoned: Yes/No
Whether reportable: Yes/No