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. 2024:PHHC:016348

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59562-2023

Date of Decision:06.02.2024

Pardeep Kumar @ Deepu

...Petitioner

vs.

State of Punjab and Anr.

...Respondents

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Kiran Kumar Madan, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Ms. Ravinder Kaur, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. Status report by way of an affidavit of Deputy Superintendent of Police, Sub Division Bholath, Kapurthala has been filed on behalf of respondent State and the same is taken on record.
2. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 80 dated 14.09.2016 under Sections 406,420,120-B of IPC registered at Police Station Bholath, District Kapurthala (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 14.11.2023 (Annexure P-3).
3. 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 dated 14.11.2023 (Annexure P-3).
4. Pursuant to aforesaid order, the parties have appeared before the

SDJM, Bholath and got their statements recorded. Report dated 04.01.2024 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 petitioner.

7. Resultantly, FIR No. 80 dated 14.09.2016 under Sections 406,420,120-B of IPC registered at Police Station Bholath, District Kapurthala (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

06.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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