

. 2024:PHHC:002961
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60103-2023
Date of Decision:10.01.2024

Nem Kumar

...Petitioner

vs.

State of Haryana and Others

...Respondents

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

Present : Ms. Aarti Sharma, Advocate for
 Mr. Pankaj Yadav, Advocate
 for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

Mr. Ravinder Chaudhary, Advocate
for respondents No.2 and 3.

N.S.Shekhawat J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 116 dated 19.04.2023 under Sections 323/509 of IPC, registered at Police Station Sector-53, Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 11.11.2023 (Annexure P-2).
2. Vide order dated 30.11.2023, 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.
3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Gurugram and got their statements recorded. Report dated 03.01.2024 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.

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. 116 dated 19.04.2023 under Sections 323/509 of IPC, registered at Police Station Sector-53, Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

10.01.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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