

273

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62957-2023
Date of decision: 25.01.2024

Yaksh Sharma

...Petitioner

VERSUS

State of Punjab and another

...Respondents

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

Present: Mr. Krishan Garg, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Sandeep Singh, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of cross case bearing DDR NO. 42 dated 30.10.2022 registered under Sections 323, 324, 148 and 149 IPC at Police Station Kotwali, District Bathinda in case bearing FIR No. 186 dated 30.10.2022 under Sections 323, 324, 148, 149 and 379 IPC registered at Police Station Kotwali, District Bathinda (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise.

Vide order dated 14.12.2023 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.

Pursuant to aforesaid order, the parties have appeared before the learned Chief Judicial Magistrate, Bathinda and got their statements recorded. Report dated 23.01.2024 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.

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.

Resultantly, cross case bearing DDR NO. 42 dated 30.10.2022 registered under Sections 323, 324, 148 and 149 IPC at Police Station Kotwali, District Bathinda in case bearing FIR No. 186 dated 30.10.2022 under Sections 323, 324, 148, 149 and 379 IPC registered at Police Station Kotwali, District Bathinda (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

25.01.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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