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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63537-2023 (O&M)
Date of decision:05.04.2024

JAI JAGAT JOSHI AND OTHERS

...Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

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

Present: Mr. Sahil Puri, Advocate
for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. Saksham Malhotra, 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 an FIR No. 116 dated 09.07.2012 registered under Sections 364, 342, 323, 324, 148 and 149 IPC and Section 25 of Arms Act at Police Station Ramamandi, District Jalandhar (Annexure P-1) and subsequent proceedings arising therefrom on the basis of compromise/settlement (Anneuxre P-2).

Vide order dated 09.01.2024 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/settlement (Anneuxre P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Jalandhar and got their statements recorded. Report dated 22.01.2024 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(s).

Resultantly, FIR No. 116 dated 09.07.2012 registered under Sections 364, 342, 323, 324, 148 and 149 IPC and Section 25 of Arms Act at Police Station Ramamandi, District Jalandhar (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

05.04.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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