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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65179-2023
Date of decision: 09.04.2024

RAFI @ RAFFI AND ORS ...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ORS ...Respondent(s)

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

Present: Mr. Parminder Singh Kanwar, Advocate
for the petitioners.

Mr. M. S. Bajwa, DAG, Punjab.

Ms. Muskan, Advocate for
Mr. Jagjeet Singh, Advocate
for respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.81 dated 3.9.2023, under Sections 323, 341, 379-B, 506, 148 and 149 IPC, registered at Police Station Garhdiwal, District Hoshiarpur and all subsequent proceedings enumerating therefrom, on the basis of compromise dated 06.12.2023 (Annexure P-2).

Vide order dated 04.01.2024 while issuing notice of motion, by 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 06.12.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Dasuya, District Hoshiarpur and got their statements recorded. Report dated 04.03.2024 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.81 dated 03.09.2023, under Sections 323, 341, 379-B, 506, 148 and 149 IPC, registered at Police Station Garhdiwal, District Hoshiarpur alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

09.04.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

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