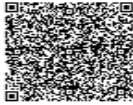


CRM-M-61943-2024

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2025:PHHC:009636



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

308

CRM-M-61943-2024
Date of Decision: 22.01.2025

CHIMAN LAL AND ANOTHER

...PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

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

Present: Mr. Manu Loona, Advocate
for the petitioners.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

Ms. Rashmi Verma, Advocate for
Mr. Yaseen Sethi, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of complaint i.e. COMI-45/2015, under Sections 426, 427, 438, 188, 120-B of IPC registered at Police Station Sadar Fazilka, District Fazilka alongwith judgment of convictions and all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 04.05.2024 (Annexure P-8).



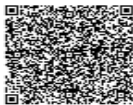
2. Vide order dated 10.12.2024 while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 04.05.2024 (Annexure P-8).

3. Pursuant to aforesaid order, the parties have appeared before the learned Chief Judicial Magistrate, Fazilka and got their statements recorded. Report dated 15.01.2025 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 petitioners.

6. Resultantly, complaint i.e. COMI-45/2015, under Sections 426, 427, 438, 188, 120-B of IPC registered at Police



Station Sadar Fazilka, District Fazilka alongwith judgment of convictions and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

22.01.2025.
vipin

(N. S. SHEKHAWAT)
JUDGE

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