

CRM-M-63510-2024

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2025:PHHC:015901



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

285

CRM-M-63510-2024

Date of Decision: 03.02.2025

KUSHAL SHARDA @ TONY AND ORS

...PETITIONERS

Versus

STATE OF PUNJAB AND ANR

... RESPONDENTS

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

Present: Mr. Navraj Singh Mahal, Advocate
for the petitioners.

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

Mr. Harmanjeet Singh Dhaliwal, Advocate
for respondents No.2.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 of BNSS, 2023 for quashing of FIR No.23 dated 26.01.2018 under Sections 323, 341 & 149 IPC registered at Police Station Division No.3, District Jalandhar (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 11.10.2024 (Annexure P-2).

2. Vide order dated 17.12.2024, 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 11.10.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Additional Chief Judicial Magistrate, Jalandhar and got their statements recorded. Report dated 28.01.2025 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, FIR No.23 dated 26.01.2018 under Sections 323, 341 & 149 IPC registered at Police Station Division No.3, District Jalandhar (Annexure P-1) alongwith all consequential



proceedings arising therefrom are hereby quashed qua the petitioner.

03.02.2025.
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(N. S. SHEKHAWAT)
JUDGE

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