

CRM-M-62495-2024

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2025:PHHC:016661



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

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CRM-M-62495-2024

Date of Decision: 04.02.2025

SHAM SINGH AND ORS

...PETITIONERS

Versus

STATE OF PUNJAB AND ORS

... RESPONDENTS

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

Present: Ms. Pratuls Sethi, Advocate for
Mr. G.S. Simble, Advocate
for the petitioners.

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

Ms. Rajinder Kaur, Advocate
for respondents No.2 & 3.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of an FIR No.144 dated 02.11.2016 (wrongly mentioned as dated 31.10.2016 in challan) under Sections 323, 324, 325, 148, 149 of IPC 1860 (Challan presented u/s 325, 323, 324, 34 IPC 1860) registered at Police Station City Batala Police District Batala, District Gurdaspur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 21.11.2024 (Annexure P-2).



2. Vide order dated 12.12.2024, while issuing notice of motion, 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 21.11.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned District & Sessions Judge, Gurdaspur and got their statements recorded. Report dated 27.01.2025 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.144 dated 02.11.2016 (wrongly mentioned as dated 31.10.2016 in challan) under Sections 323, 324, 325, 148, 149 of IPC 1860 (Challan presented u/s 325, 323, 324, 34 IPC 1860) registered at Police Station City Batala Police District Batala, District Gurdaspur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

04.02.2025
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(N. S. SHEKHAWAT)
JUDGE

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