

CRM-M-61421-2024

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2025:PHHC:027562



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

303 (2)

CRM-M-61421-2024

Date of Decision: 25.02.2025

DARSHAN SINGH

...PETITIONER

Versus

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

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

Present: Mr. Davinder Kaushik, Advocate
for the petitioner.

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

Mr. Sukhwinder Singh Kainth, 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 the cross case registered vide G.D./DDR No.13 dated 11.06.2022 (Annexure P-2), under Sections 452, 323, 324 IPC at Police Station Sadar Kurali, District S.A.S. Nagar in case FIR No.37 dated 11.06.2022 under Sections 452, 323, 324, 34 IPC registered at Police Station Sadar Kurali, District S.A.S. Nagar (Annexure P-1) alongwith all the



consequential proceedings arising therefrom on the basis of compromise/affidavit (Annexure P-3).

2. Vide order dated 09.12.2024, 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 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Kharar and got their statements recorded. Report dated 13.02.2025 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 petitioner.



6. Resultantly, cross case registered vide G.D./DDR No.13 dated 11.06.2022 (Annexure P-2), under Sections 452, 323, 324 IPC at Police Station Sadar Kurali, District S.A.S. Nagar in case FIR No.37 dated 11.06.2022 under Sections 452, 323, 324, 34 IPC registered at Police Station Sadar Kurali, District S.A.S. Nagar (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

25.02.2025
vipin

(N. S. SHEKHAWAT)
JUDGE

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