

237

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

**CRM-M No.26898 of 2020O&M)
Date of Decision:17.03.2021**

Amir Khan and others

.....Petitioners

Vs

State of Punjab and another

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. B.S. Mamli, Advocate
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

[1]. Prayer in this petition is for quashing of FIR No.22 dated 11.02.2020 registered under Sections 324, 452, 506 and 34 IPC at Police Station Kharar SAS Nagar Mohali along with all subsequent proceedings arising therefrom on the basis of compromise.

[2]. Notice of motion was issued on 09.09.2020. Vide order dated 11.01.2021, both the parties were directed to appear before the trial Court/Illaq Magistrate on 18.01.2021 for recording their statements in the context of compromise.

[3]. In compliance of said order, only accused persons appeared before the Judicial Magistrate Ist Class, Kharar on 18.01.2021 and their statements were recorded accordingly. The complainant could not appear before the Court and thereafter, CRM-M No.4600 of 2021 was filed and one more indulgence was granted to the parties to appear before the Trial Court on 01.03.2021. Now, Judicial Magistrate Ist Class, Kharar has submitted its report after recording statement of the complainant on 01.03.2021.

[4]. Following report has been submitted:-

“Complainant Inderpreet Singh son of Balwinder Singh r/o village Khuni Majra, Rasanheri, District SAS Nagar (Mohali) appeared and his statement was recorded as to compromise. As per statement made by the complainant as well as statement made by accused-persons on dated 18.01.2021, the compromise was entered into without any undue influence or without any pressure. In my opinion, compromise appears to have been made voluntarily and is genuine. There are only three accused arrayed as accused in the FIR and one of the accused is an absconder/PO. in this case.

Complainant Inderpreet Singh has suffered statement pleading no objection if the FIR is quashed against accused-persons namely Amir Khan, Alaudin and Ranjit Khan. The statement of complainant Inderpreet Singh referred to above in original, is being sent herewith for placing before the Hon'ble Mr. Justice Raj Mohan Singh, Hon'ble Punjab & Haryana High Court, Chandigarh as directed for further proceedings."

[5]. In view of compromise between the parties, chance of complainant coming forward in support of prosecution case is negligible. Since the compromise has been entered into between the parties and the same has been found to be genuine by the Magistrate, therefore, on the strength of **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052** and **Gian Singh vs. State of Punjab and another, 2012 (4) RCR (Crl.) 543,** the FIR can be quashed.

[6]. Learned State counsel, however, opposed the aforesaid course, but in the interest of justice and also to prevent unnecessary continuation of criminal proceedings, I am of the view that inherent powers under Section 482 Cr.P.C can be exercised in order to achieve ends of justice.

[7]. Resultantly, FIR No.22 dated 11.02.2020 registered

under Sections 324, 452, 506 and 34 IPC at Police Station Kharar SAS Nagar Mohali as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[8]. Petition stands disposed of.

17.03.2021

Amandeep

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No