

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-45799-2021(O&M)

Date of Decision:-16.12.2021

Gurdev Singh.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. B.B.S. Randhawa, Advocate for the Petitioner.

Mr. H.S. Sullar, Deputy Advocate General, Punjab.

Ms. Mandeep Kaur, Advocate for respondent No.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.0035 dated 05.04.2019 (Annexure **P-1**) under Section 384 and 506 IPC and Section 66(A) of the Information Technology Act, 2000 registered at Police Station Dera Baba Nanak, District Batala and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 23.01.2021 (P-2) arrived at between the petitioner and respondent no.2.

Vide order dated 02.11.2021 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 02.11.2021 with regard to the compromise/settlement dated 23.01.2021 (P-2).

In terms of the order dated 02.11.2021 passed by this Court

parties have appeared before the court of Bikramdeep Singh, learned JMIC, Batala and as per his report dated 13.12.2021 submitted to this Court, both the parties have got recorded their respective statements in Court.

Perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052*** and ***Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

In view of the aforesaid report of the learned JMIC, Batala accompanied by statements of both the parties, the FIR No.0035 dated 05.04.2019 (Annexure **P-1**) under Section 384 and 506 IPC and Section 66(A) of the Information Technology Act, 2000 registered at Police Station Dera Baba Nanak, District Batala and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 16, 2021

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>