

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

259

**CRM-M-534-2020(O&M)
Decided on : 14.09.2022**

KRISHANA DEVI AND ANOTHER

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Ms. Ishita Jain, Advocate for
Mr. Namit Khurana, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Sandeep Sharma, Advocate
for the respondents.

SANJAY VASHISTH, J. (Oral)

The prayer in this petition filed under Section 482 Cr.P.C., is for quashing of an FIR No.639, dated 12.10.2015, lodged under Sections 323, 427, 452 and 506 read with Section 34 of IPC, registered at Police Station Jagadhri City, District Yamuna Nagar (Annexure P-1), along with all consequential proceedings arising therefrom on the basis of a compromise-deed dated 13.11.2019 (Annexure P-3), arrived at between the parties.

Vide order dated 09.01.2020, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise-deed dated 13.11.2019 (Annexure P-3).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the orders dated 09.01.2020 passed by this Court, the parties have appeared before the Court of learned Additional Sessions Judge, Yamuna Nagar, and as per the report dated 27.07.2020 submitted to this Court, both the parties have got recorded their respective statements in

Court.

As per the report, it is clear that in compliance to the order dated 17.02.2020 total cost of Rs.30,000/- has already been deposited.

A 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 Additional Sessions Judge, Yamuna Nagar, accompanied by statements of both the parties, the FIR No.639, dated 12.10.2015, lodged under Sections 323, 427, 452 and 506 read with Section 34 of IPC, registered at Police Station Jagadhri City, District Yamuna Nagar, along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

14.09.2022

Amandeep

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No