

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-931-2019 (O & M)

Date of decision: 23.03.2022

Deep Singh

..... Petitioner

V/s

The State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sanjeev K. Virk, Advocate, for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. Krishan Kanha, Advocate,
for Mr. Narinder Lucky, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for the quashing of an FIR No.74 dated 25.05.2016 (Annexure P-1) under Sections 323, 325 IPC registered with Police Station City GRP, Phagwara, District Kapurthala, and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 02.01.2019 (Annexure P-2) arrived at between the petitioner and respondents no.2.

Vide order dated 11.01.2019 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 with regard to the compromise/settlement dated 02.01.2019 (Annexure P-2).

In terms of the order dated 11.01.2019 passed by this Court parties had appeared before the court of Sub Divisional Judicial Magistrate,

Phagwara, and as per his report dated 28.10.2021 submitted to this Court, both the parties have got recorded their respective statements in Court.

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 Sub Divisional Judicial Magistrate, Phagwara, accompanied by statements of both the parties, FIR No.74 dated 25.05.2016 (Annexure P-1) under Sections 323, 325 IPC registered with Police Station City GRP, Phagwara, District Kapurthala, and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 23, 2022
sukhpreet

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