

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

Sr.No.247

CRM-M-4792-2022

Date of decision: 15.3.2022

Rakesh Kumar and others

. Petitioners

V/s

State of Punjab and another

. Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Manoj K. Sharma, Advocate for the petitioners.

Mr.Sidakmeet Singh Sandhu, DAG, Punjab

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.191 dated 10.12.2019 (Annexure P-1) registered under Sections 380 and 457 IPC with Police Station Sadar Patti, District Tarn Taran and all other consequential proceedings arising therefrom, on the basis of compromise dated 4.1.2022 (Annexure P-2) arrived at between the petitioners and respondent no.2.

Short reply by way of affidavit of Maninderpal Singh, Deputy Superintendent of Police, Sub Division, Patti, District Tarn Taran filed by learned State counsel on behalf of respondent No.1 is taken on record.

Vide order dated 7.2.2022 this Court had directed the parties to appear before Trial Court/ Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 7.2.2022 with regard to the compromise dated 4.1.2022 (Annexure P-2)

In terms of the order dated 7.2.2022 passed by this Court, parties have appeared before the Court of Sub Divisional Judicial

Magistrate, Patti, and as per the report dated 3.3.2022 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 (CrI.) 543.

In view of the aforesaid report of the Sub Divisional Judicial Magistrate, Patti, accompanied by statements of both the parties, the FIR No.191 dated 10.12.2019 (Annexure P-1) registered under Sections 380 and 457 IPC registered with Police Station Sadar Patti, District Tarn Taran and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

15.03.2022
gsv

[JASJIT SINGH BEDI]
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No