

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

Sr. No.249

**CRM-M-5168 of 2021
Date of Decision: 13.05.2022**

Ashik Ali and others

.... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. J.S.Mahal, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Paras Jagga, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.129 dated 20.06.2017 (Annexure P-1) registered under Sections 323, 324, 148 and 149 of IPC (Section 326 IPC added later on) at Police Station Jandiala, District Amritsar and all consequential proceedings arising therefrom, on the basis of compromise dated 11.01.2021 (Annexure P-2) arrived at between the parties.

Vide order dated 26.02.2021 this Court had directed the parties to appear before Illaqa Magistrate/ Duty Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 26.02.2021 with regard to the compromise dated 11.01.2021 (Annexure P-2).

In terms of the order dated 26.02.2021 passed by this Court, parties have appeared before the Court of Ms. Nirmala Devi, Judicial Magistrate 1st Class, Amritsar and as per her report dated 26.03.2021

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.P.C 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 Judicial Magistrate 1st Class, Amritsar accompanied by statements of both the parties, the FIR No.129 dated 20.06.2017 (Annexure P-1) registered under Sections 323, 324, 148 and 149 of IPC (Section 326 IPC added later on) at Police Station Jandiala, District Amritsar and all consequential proceedings arising therefrom, are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

13.05.2022
Maninder

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