

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

CRM-M-3702-2020

Date of Decision:-30.08.2022

Vasudev Goswami & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Narinder Singh Sindher, Advocate for
Mr. Vishal Goel, Advocate for the Petitioners.

Mr. Ravinder Singh, Assistant Advocate General, Punjab.

Mr. Arjun Dhingra, Advocate for
Mr. Parveen Sharma, Advocate for the respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.39 dated 19.06.2019 (Annexure P-1) under Sections 451, 147 IPC registered at Police Station Naya Gaon, District SAS Nagar, Punjab and all consequential proceedings arising therefrom on the basis of compromise dated 07.12.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 29.01.2020 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 29.01.2020 with regard to the compromise dated 07.12.2019 (Annexure P-2).

In terms of the orders dated 29.01.2020 passed by this Court parties have appeared before the court of Ms. Ankita Gupta, Judicial Magistrate Ist Class, Kharar and as per her report dated 12.03.2020 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 Judicial Magistrate Ist Class, Kharar accompanied by statements of both the parties, the FIR No.39 dated 19.06.2019 (Annexure P-1) under Sections 451, 147 IPC registered at Police Station Naya Gaon, District SAS Nagar, Punjab and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 30, 2022
Vinay

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