

**(275) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-5090-2022(O&M)
Date of decision : 20.09.2022**

MANDEEP SINGH & OTHERS

... Petitioners

Versus

STATE OF PUNJAB & OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr.Puneet Sharma, Advocate for the petitioners.

Mr. Ravinder Singh, Asstt. A.G., Punjab.

Mr. J.S. Bhinder, Advocate for respondent Nos.2 to 5.

JASJIT SINGH BEDI, J. (ORAL)

CRM-35703-2022

The present application has been filed by the applicant-petitioner for amendment in the head note as well as in the prayer clause and para No.2 of the main petition to add the General Diary Details of the case (GD No.36 dated 09.02.2017 at P.S. Sohana, under Sections 323, 341, 506, 149 IPC).

Allowed as prayed for subject to all just exceptions.

CRM-M-5090-2022

The prayer in this petition is for quashing of cross-case G.D. No.36 dated 09.02.2017 registered under Sections 323, 341, 506, 149 IPC at Police Station Sohana in case FIR No.0025 dated 06.02.2017 (Annexure P-1) registered under Sections 323, 341, 506, 149 IPC, 1860 at Police Station Sohana, District SAS Nagar (Mohali) along with all

consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties

Vide order dated 09.02.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 22.12.2021 (P-2).

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 order dated 09.02.2022 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1st Class, SAS Nagar and as per the report dated 31.03.2022 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 learned Judicial Magistrate, 1st Class, SAS Nagar accompanied by statements of both the

parties, the G.D. No.36 dated 09.02.2017 registered under Sections 323, 341, 506, 149 IPC at Police Station Sohana in case FIR No.0025 dated 06.02.2017 (Annexure P-1) registered under Sections 323, 341, 506, 149 IPC, 1860 at Police Station Sohana, District SAS Nagar (Mohali) along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

20.09.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No