

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5113-2022 (O & M)

Date of decision: 12.05.2022

Udit Thawani and anr.

..... Petitioners

V/s

State of Haryana and anr..

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Aman Pal, Advocate, for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Mayur Karkra, Advocate,
for respondent No.2-complainant.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for the quashing of the FIR No.223 dated 06.04.2021 under Sections 323, 325, 341, 34, 506 IPC registered with Police Station Suraj Kund, Faridabad, and all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the petitioner and respondent No.2-complainant.

Vide order dated 09.02.2022 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 09.02.2022 with regard to the compromise (Annexure P-2).

In terms of the order dated 09.02.2022 passed by this Court parties have appeared before the court of Chief Judicial Magistrate, Faridabad, and as per his report dated 08.04.2022 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 Chief Judicial Magistrate, Faridabad, accompanied by the joint statement of both the parties, the FIR No.223 dated 06.04.2021 under Sections 323, 325, 341, 34, 506 IPC registered with Police Station Suraj Kund, Faridabad, and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 12, 2022
sukhpreet

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