

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

252

CRM-M-4864-2020

Date of Decision: 21.09.2022

Rajinder Kumar and others	Petitioners
Vs	
State of Punjab and others	Respondents

CRM-M-4866-2020

Javed and others	Petitioners
Vs	
State of Punjab and others	Respondents

CORAM : HON'BLE MS.JUSTICE NIDHI GUPTA

Present: Mr. Chetan Kapur, Advocate,
for the petitioners in CRM-M-4864-2020
for respondents no.2 to 5 in CRM-M-4866-2020

Mr. Rakesh Gupta, Advocate,
for the petitioners in CRM-M-4866-2020
for respondents no.2 and 3 in CRM-M-4864-2020

Ms. Ramta Chowdhary, DAG, Punjab.

NIDHI GUPTA, J. (Oral)

The present petitions were filed by the petitioners under Sections 482 Cr.PC for quashing of FIR No.85 dated 29.06.2019 under Sections 458, 323, 148 and 149 of the IPC, Police Station Division No.4, District Patiala and the cross-version, i.e.G.D. No.54, dated 01.07.2019, under Sections 323, 341, 506 and 34 of the IPC, recorded in the aforesaid FIR, alongwith all consequential proceedings arising therefrom on the basis of compromise dated 31.07.2019 (Annexure P-2) in each petition effected between the parties.

Pursuant to the order dated 03.02.2020, the report of the learned JMIC, Patiala, dated 13.03.2020, has been received.

Heard learned counsel for the parties and perused the report of the Court below.

A perusal of the report at Flag-A reveals that the learned JMIC, Patiala, after recording statements of the parties, has in his report dated 13.03.2020 concluded that “the parties have voluntarily entered into the compromise between themselves and have settled the matter amicably and said compromise appears to be genuine.”

In view of the compromise there is a remote possibility of the complainant(s) 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 this 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 accompanied by statements of both the parties, the FIR in question as also the cross-version thereto and all consequential proceedings arising therefrom are hereby quashed qua the petitioners in each petition.

Both the petitions stand disposed of.

A photocopy of this order be placed on the file of the connected case.

September 21, 2022
dharamvir

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO