

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-8342-2022 (O & M)

Date of decision:12.09.2022

Sonu and ors.

..... Petitioners

V/s

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Davneet Sangwan, Advocate, for the petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Sahil Chaudhary, Advocate,
for respondents No.2 to 5.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.883 dated 18.09.2021 under Sections 148, 149, 323, 427, 452, 506 IPC registered at Police Station Karnal Sadar, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise 11.02.2022 (Annexure P-2) arrived at between the parties.

Vide order dated 20.05.2022 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 20.05.2022 with regard to the compromise (Annexure P-3).

In terms of the order dated 20.05.2022 passed by this Court, the parties have appeared before the court of Additional Chief Judicial Magistrate, Karnal and as per his report dated 07.07.2022 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 Additional Chief Judicial Magistrate, Karnal, accompanied by the joint statement of both the parties, FIR 883 dated 18.09.2021 under Sections 148, 149, 323, 427, 452, 506 IPC registered at Police Station Karnal Sadar, District Karnal and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 12, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No