

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

CRM-M-8180-2021

Date of Decision:-22.08.2022

Gurinder Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Dharminder Singh Randhawa, Advocate for Petitioners.

Mr. Ravinder Singh, Assistant Advocate General, Punjab.

Mr. Narinder Singh, Advocate for the respondent no.3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.52 dated 19.03.2017 (Annexure P-1) under Sections 452, 324, 323, 148, 149 IPC and Section 326 IPC (added later on) registered at Police Station Dakha, District Ludhiana Rural and all consequential proceedings arising therefrom on the basis of compromise dated 05.01.2021 (Annexure P-2) arrived at between the parties.

Vide order dated 22.02.2021 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 22.02.2021 with regard to the compromise dated 05.01.2021 (Annexure P-2).

In terms of the order dated 22.02.2021 passed by this Court parties have appeared before the court of Ms. Navjot Kaur, Judicial Magistrate Ist Class, Ludhiana and as per her reports dated 04.03.2021, 20.04.2021 submitted to this Court through Mr. Neeraj Goyal, Judicial Magistrate Ist Class, Ludhiana (her successor) vide his letter

dated 18.07.2022/21.07.2022 both the complainants as well as petitioners 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, Ludhiana, accompanied by statements of both the parties, the FIR No.52 dated 19.03.2017 (Annexure P-1) under Sections 452, 324, 323, 148, 149 IPC and Section 326 IPC (added later on) registered at Police Station Dakha, District Ludhiana Rural and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 22, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>