

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

268

**CRM-M-9242 of 2021
Decided on : 29.09.2022**

Shiv Bhan

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ashwani Kumar Antil, Advocate
for the petitioner(s).

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Rahul Vats, Advocate
for respondent No.2.

SANJAY VASHISTH, J. (Oral)

The prayer in this petition filed under Section 482 Cr.P.C., is for quashing of an FIR No.619, dated 30.08.2020, lodged under Sections 420, 406, 427, 511, 120-B of IPC, registered at Police Station Sonipat City, District Sonipat (Annexure P-1), along with all consequential proceedings arising therefrom on the basis of a compromise/affidavit dated 09.02.2021 (Annexure P-2), arrived at between the parties.

Vide order dated 26.02.2021, this Court had directed the parties to appear before Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise/affidavit dated 09.02.2021 (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 orders dated 26.02.2021 passed by this Court, the parties have appeared before the Chief Judicial Magistrate, Sonipat, and as per the report dated 31.03.2021 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, Sonipat, accompanied by statements of both the parties, the FIR No.619, dated 30.08.2020, lodged under Sections 420, 406, 427, 511, 120-B of IPC, registered at Police Station Sonipat City, District Sonipat (Annexure P-1), along with all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

September 29, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*