

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

CRM-M-6020-2020(O&M)

Date of Decision:-14.03.2022

Sarwan Singh @ Soma & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. G.S. Bhatia, Advocate for the Petitioners.

Ms. Samina Dhir, Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.120 dated 15.06.2011 (Annexure P-1) under Section 326, 325, 324, 323, 506, 148 and 149 IPC registered at Police Station Jandiala, District Amritsar and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 05.12.2019 (P-2) arrived at between the parties.

Vide order dated 11.02.2020 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 11.02.2020 with regard to the compromise/settlement dated 05.12.2019 (P-2).

In terms of the order dated 11.02.2020 passed by this Court parties have appeared before the court of Ms. Nirmala Devi, learned JMJC, Amritsar and as per her report dated 11.03.2022 submitted to this Court, both the parties 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 JMIC, Amritsar accompanied by statements of both the parties, the FIR No.120 dated 15.06.2011 (Annexure P-1) under Section 326, 325, 324, 323, 506, 148 and 149 IPC registered at Police Station Jandiala, District Amritsar and all consequential proceedings arising arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 14, 2022

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