

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

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CRM-M-7455-2020

Date of Decision: 21.09.2022

Mukhtiar Singh and others	Petitioners
Vs	
State of Punjab and others	Respondents

CORAM : HON'BLE MS.JUSTICE NIDHI GUPTA

Present: Mr. P.K.S.Phulka, Advocate,
for the petitioners.

Ms. Ramta Chowdhary, DAG, Punjab.

Mr. Davinder Kumar, Advocate
for respondents no.2 and 3.

NIDHI GUPTA, J. (Oral)

The present petition was filed by the petitioners under Sections 482 Cr.PC for quashing of FIR No.12 dated 22.01.2020 under Sections 365, 377, 323, 506 and 149 of the IPC, Police Station Nathana, District Bathinda, alongwith all consequential proceedings arising therefrom on the basis of compromise dated 13.02.2020 (Annexure P-2) effected between the parties.

Pursuant to the order dated 19.02.2020, the report of the learned Addl. CJM, Bathinda, dated 31.03.2021, has been received.

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

A perusal of the report at Flag-X reveals that the learned Addl. CJM, after recording statements of the parties, has in his report dated 31.03.2021 concluded that “the compromise between the parties is genuine, voluntary and out of free will of the parties.”

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 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 accompanied by statements of both the parties, the FIR in question and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

September 21, 2022
dharamvir

(NIDHI GUPTA)
JUDGE

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