

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

CRM-M-10537-2021(O&M)

Date of Decision:-21.04.2022

Abdul Rashid & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Ms. Poorva Gupta, Advocate for
Mr. Sunny K. Singla, Advocate for the Petitioners.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.

Mr. Mahipal S. Yadav, Advocate for the respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of DDR No.23 dated 01.08.2013 (in FIR No.79 dated 30.07.2013 alleging therein the commission of offences punishable under the provisions of Sections 341, 323, 506, 148, 149 IPC) registered for the alleged commission of offences punishable under the provisions of Sections 323, 324, 325, 506 and 34 of IPC at Police Station City-II Malerkotla, District Sangrur and all consequential proceedings arising therefrom on the basis of compromise dated 10.02.2021 (Annexure P-3 to P-5) arrived at between the parties.

Vide order dated 05.03.2021 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 05.03.2021 with regard to the compromise dated 10.02.2021 (Annexure P-3 to P-5).

In terms of the order dated 05.03.2021 passed by this Court parties have appeared before the court of Mr. Jaibir Singh, Judicial Magistrate Ist Class, Malerkotla and as per his report dated 06.04.2021

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 Judicial Magistrate Ist Class, Malerkotla accompanied by statements of both the parties, the DDR No.23 dated 01.08.2013 (in FIR No.79 dated 30.07.2013 alleging therein the commission of offences punishable under the provisions of Sections 341, 323, 506, 148, 149 IPC) registered for the alleged commission of offences punishable under the provisions of Sections 323, 324, 325, 506 and 34 of IPC at Police Station City-II Malerkotla, District Sangrur and all consequential proceedings arising arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 21, 2022

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