

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

269)

**CRM-M-11478 of 2021
Date of Decision: 24.08.2022**

Raj Kumar and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

**Present: Mr. Jatinder Pal Singh, Advocate,
for the petitioners.**

Mr. Hakam Singh, AAG, Punjab

**Mr. Ajay Bhardwaj, Advocate,
for respondent no.2.**

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of FIR no.414 dated 14.10.2020 under Sections 452, 323, 506, 427 and 34 of the IPC, registered at Police Station Division No. 5, Jalandhar and all other consequential proceedings arising therefrom on the basis of compromise/affidavit dated 23.02.2021 arrived at between the parties.

Vide order dated 12.03.2021 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 12.03.2021 with regard to the compromise/affidavit dated 23.02.2021.

In terms of the order dated 12.03.2021 passed by this court parties have appeared before the court of Shri Rajinder Singh Teji, Judicial Magistrate Ist Class, Jalandhar and as per his report dated 05.05.2021 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 of the Cr.P.C. 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 issue by the court in **Kulwinder Singh and others v. State of Punjab 2007(3) Rcr (Criminal) 1052** and **Gian Singh v. State of Punjab and another 2012(4) RCR (Crl.) 543.**

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Jalandhar accompanied by statements of both the parties, the FIR no.414 dated 14.10.2020 under Sections 452, 323, 506, 427 and 34 of the IPC, registered at Police Station Division No. 5, Jalandhar and all consequential proceedings arising therefrom are hereby quashed, qua the petitioners.

Petition stands disposed of.

August 24, 2022
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Whether speaking/reasoned
Whether Reportable

(JASJIT SINGH BEDI)
JUDGE

Yes/No
Yes/No