

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

CRM-M-9077-2020

Date of Decision:-22.11.2022

Rashpal Singh.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Vipin Mahajan, Advocate for the Petitioner.

Ms. Rampa Chowdhary, Deputy Advocate General, Punjab.

Mr. J.S. Dadwal, Advocate for

Mr. Vishal Munjal, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.81 dated 31.08.2015 (Annexure P-1) under Sections 324, 323, 326 IPC registered at Police Station Ghuman, Police District Batala, District Gurdaspur, Punjab and all consequential proceedings arising therefrom on the basis of compromise dated 27.01.2020 (Annexure P-3) arrived at between the parties.

Vide order dated 18.08.2022 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 18.08.2022 with regard to the compromise dated 27.01.2020 (Annexure P-3).

In terms of the order dated 18.08.2022 passed by this Court parties have appeared before the court of Sh. Rajinder Singh, Judicial Magistrate Ist Class, Batala/Duty and as per report dated 12.10.2022 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 Judicial Magistrate Ist Clas, Batala/Duty accompanied by statements of both the parties, the FIR No.81 dated 31.08.2015 (Annexure P-1) under Sections 324, 323, 326 IPC registered at Police Station Ghuman, Police District Batala, District Gurdaspur, Punjab and all consequential proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 22, 2022
Vinay

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