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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12478-2021

Date of Decision:25.08.2022

RAJINDER SINGH AND ANOTHER

.....Petitioners

Vs

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: *HON'BLE MR. JUSTICE SANJAY VASHISTH*

Present: Mr.P.B.S. Goraya, Advocate for
Mr. KBS Mann, Advocate
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Paraspreet Singh, Advocate for
respondents No.2 and 3.

SANJAY VASHISTH, J. (Oral)

The prayer in this petition filed under Section 482 Cr.P.C., is for quashing of an FIR No.10, dated 07.01.2018, lodged under Sections 452, 323, 148, 149 and 506 of IPC (challan was presented under Sections 325, 506, 323, 34 of IPC) registered at Police Station Hathur, District Ludhaina Rural (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of a compromise dated 06.08.2020 (Annexures P-2), arrived at between the parties.

Vide order dated 05.04.2021, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise-deed dated 06.08.2020 (Annexures P-2).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 05.04.2021 passed by this Court, the parties have appeared before the Judicial Magistrate 1st Class, Jagraon, and

as per the report dated 26.05.2021 submitted to this Court, both the parties have got recorded their respective statements in Court.

A 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 1st Class, Jagraon, accompanied by statements of both the parties, FIR No.10, dated 07.01.2018, lodged under Sections 452, 323, 148, 149 and 506 of IPC, registered at Police Station Hathur, District Ludhaina Rural (Annexure P-1) along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

25.08.2022

Amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No