

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

CRM-M-12615-2021

Date of Decision:-25.08.2022

Babu @ Sukhwinder Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondent.

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

Present:- Mr. Janak Singh Bhinder, Advocate for the Petitioners.

Mr. Ravinder Singh, AAG Punjab.

Mr. J.S. Moudgil, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.22 dated 07.04.2019 (Annexure P-1) under Sections 420, 365, 342, 389, 120-B IPC and Section 25 & 27 of Arms Act and Section 66(E) of Information Technology Act, 2000 registered at Police Station Cheema, District Sangrur and all consequential proceedings arising therefrom on the basis of compromise dated 26.09.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 18.03.2021 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 18.03.2021 with regard to the compromise dated 26.09.2019 (Annexure P-2).

In terms of the orders dated 18.03.2021 passed by this Court parties have appeared before the court of Ms. Amandeep Kaur, Sub Divisional Judicial Magistrate, Sunam and as per her report dated 15.02.2021 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 Sub Divisional Judicial Magistrate Sunam accompanied by statements of both the parties, the FIR No.22 dated 07.04.2019 (Annexure P-1) under Sections 420, 365, 342, 389, 120-B IPC and Section 25 & 27 of Arms Act and Section 66(E) of Information Technology Act, 2000 registered at Police Station Cheema, District Sangrur and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 25, 2022

Vinay

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