

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

CRM-M-12231-2022

Date of Decision:-29.11.2022

Saudagar Singh @ Sodagar Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. S.K. Choudhary, Advocate for the Petitioners.

Ms. Ramta Chowdhary, Deputy Advocate General, Punjab.

Mr. S.K. Arya, Advocate for respondent no.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of G.D. No.28 dated 11.02.2017 registered at Police Station Division No.II, District Pathankot (Annexure P-2) in FIR No.7 dated 17.01.2017 under Sections 325, 323, 341, 506, 148, 149 IPC P.S. Division No.II District Pathankot (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 09.11.2021 (Annexure P-3) arrived at between the parties.

Vide order dated 08.04.2022 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 08.04.2022 with regard to the compromise dated 09.11.2021 (Annexure P-3).

In terms of the order dated 08.04.2022 passed by this Court parties have appeared before the court of Ms. Dazy Bangarh, Judicial Magistrate, Ist Class, Pathankot, and as per report dated 23.05.2022

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 Class, Pathankot accompanied by statements of both the parties, the G.D. No.28 dated 11.02.2017 registered at Police Station Division No.II, District Pathankot (Annexure P-2) in FIR No.7 dated 17.01.2017 under Sections 325, 323, 341, 506, 148, 149 IPC P.S. Division No.II District Pathankot (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 29, 2022

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