

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

CRM-M-14173-2021

Date of Decision:-05.12.2022

Sukhdev Singh & Anr.

.....Petitioners.

Versus

U.T., Chandigarh & Anr.

.....Respondents.

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

Present:- Mr. Ankit Aggarwal, Advocate for
Mr. Pankaj Bali, Advocate for the Petitioners.

Mr. Deepinder Brar, Advocate for the U.T., Chandigarh.

Mr. Ritesh Pandey, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.18 dated 21.01.2019 under Sections 323, 325, 506, 34 IPC registered at P.S. East, Sector 26, Chandigarh and all consequential proceedings arising therefrom on the basis of compromise dated 22.01.2021 (Annexure P-3) arrived at between the parties.

Vide order dated 26.03.2021 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 26.03.2021 with regard to the compromise dated 22.01.2021 (Annexure P-3) arrived at between the parties.

Mr. Ritesh Pandey, Advocate has filed memo of appearance on behalf of the respondent no.2 in Court today.

In terms of the order dated 26.03.2021 passed by this Court parties have appeared before the court of Mr. Tejpartap Singh Randhawa,

Additional Chief Judicial Magistrate, Chandigarh and as per report dated 26.05.2022 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 Addl. Chief Judicial Magistrate, Chandigarh accompanied by statements of both the parties, the FIR No.18 dated 21.01.2019 under Sections 323, 325, 506, 34 IPC registered at P.S. East, Sector 26, Chandigarh and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 05, 2022

Vinay

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