

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

CRM-M-11222-2020(O&M)

Date of Decision:-28.02.2022

Paramjit Singh @ Pamma & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. V.K. Sandhir, Advocate for the Petitioners.

Mr. Sidakmeet Sandhu, AAG Punjab.

Mr. Jaskirat Singh Arora, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.125 dated 03.06.2017 (Annexure P-1) under Section 355, 323, 34, 427, 332 IPC read with Section 135 of Electricity Act, 1935 (Offence U/S 427/332 IPC and 135 of Electricity Act added later on) registered at Police Station Sultanwind, Amritsar and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 07.03.2020 (P-2) arrived at between the petitioner and respondent no.2.

Vide order dated 09.12.2021 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 09.12.2021 with regard to the compromise/settlement dated 07.03.2020 (P-2).

In terms of the order dated 09.12.2021 passed by this Court parties have appeared before the court of Ms. Isha Goel, learned JMIC, Amritsar and as per her report dated 04.02.2022 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 JMIC, Amritsar accompanied by statements of both the parties, the FIR No.125 dated 03.06.2017 (Annexure P-1) under Section 355, 323, 34, 427, 332 IPC read with Section 135 of Electricity Act, 1935 (Offence U/S 427/332 IPC and 135 of Electricity Act added later on) registered at Police Station Sultanwind, Amritsar and all consequential proceedings arising arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

Feburary 28, 2022

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