

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15080-2021 (O & M)

Date of decision: 16.08.2022

Baljit Singh and ors.

..... Petitioners

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rahul Verma, Advocate, for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Neeraj Yadav, Advocate,
for respondent No.2-complainant.

JASJIT SINGH BEDI, J. (Oral)

CRM-11448-2022

This is an application seeking advancement of next date of hearing fixed in the main case.

Since the main case is listed for today itself, no order needs to be passed in this application.

CRM-M-15080-2021

The prayer in this petition is for quashing of the FIR No.0175 dated 05.09.2020 registered under Sections 323, 324, 148, 149 IPC (Section 325 IPC added later on) registered with Police Station City Gurdaspur, Tehsil & Distt. Gurdaspur, and all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

Vide order dated 06.04.2021, 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 06.04.2021 with regard to the compromise (Annexure P-2).

In terms of the order dated 06.04.2021 passed by this Court parties have appeared before the court of Chief Judicial Magistrate, Gurdaspur and as per his report dated 31.05.2021 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 Ist Class, Karnal, accompanied by the joint statement of both the parties, the FIR No.0175 dated 05.09.2020 registered under Sections 323, 324, 148, 149 IPC (Section 325 IPC added later on) registered with Police Station City Gurdaspur, Tehsil & Distt. Gurdaspur, and all

consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 16, 2022
sukhpreet

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No