

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

CRM-M-14624-2022

Date of Decision:-28.07.2022

Rajat @ Munish Kumar.

.....Petitioner.

Versus

State of Haryana & Anr.

.....Respondents.

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

Present:- Mr. Namit Khurana, Advocate for Petitioner.

Mr. Gaurav Bansal, AAG Haryana.

Mr. Abhinav Kalia, Advocate for the respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.232 dated 30.03.2020 (Annexure P-1) under Sections 379-A IPC registered at Police Station City Yamuna Nagar, District Yamuna Nagar and all consequential proceedings arising therefrom on the basis of compromise dated 15.12.2021(Annexure P-2) arrived at between the parties.

Vide order dated 07.04.2022 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 07.04.2022 with regard to the compromise dated 15.12.2021 (Annexure P-2).

In terms of the order dated 07.04.2022 passed by this Court parties have appeared before the court of Ms. Shalini Singh Nagpal, Sessions Judge, Yamuna Nagar, and as per her report dated 26.07.2022 submitted to this Court,

~~both~~ both the parties have got recorded their respective statements in Court. Even

otherwise partial quashing on the basis of compromise is permissible as per the judgments of the Hon'ble Supreme Court in *Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat & Anr.* 2012 (4) RCR (Criminal) 589 and of this Court in *B.K. Pandey Vs. State of Punjab & Anr.* CRM-M-29951-2018(O&M) Decided on 04.04.2022.

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 Sessions Judge, Yamuna Nagar accompanied by statements of both the parties, the FIR No.232 dated 30.03.2020 (Annexure P-1) under Section 379-A IPC registered at Police Station City Yamuna Nagar, District Yamuna Nagar and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 28, 2022
Vinay

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