

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

CRM-M-16691-2022

Date of Decision:-23.08.2022

Jatinder Singh & Anr.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Harjinder Singh, Advocate for the Petitioners.

Mr. Ravinder Singh, Assistant Advocate General, Punjab.

Mr. Paras Khindri, Advocate for

Mr. Avtar Singh Khinda, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of DDR No.29 dated 19.02.2019 under Sections 325, 323, 148, 149 IPC (Annexure P-1) in cross case bearing FIR No.13 dated 10.02.2019 (Annexure P-2) under Sections 325, 323, 148, 149 IPC registered at Police Station Dhilwan, District Kapurthala and all consequential proceedings arising therefrom on the basis of compromise dated 01.04.2019 (Annexure P-3) arrived at between the parties.

Vide order dated 25.04.2022 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 25.04.2022 with regard to the compromise dated 01.04.2019 (Annexure P-3).

In terms of the order dated 25.04.2022 passed by this Court parties have appeared before the court of Ms. Monica, Judicial Magistrate Ist Class, Kapurthala and as per report dated 23.05.2022 submitted to this Court, both the complainant as well as petitioners 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, Kapurthala, accompanied by statements of both the parties, the DDR No.29 dated 19.02.2019 under Sections 325, 323, 148, 149 IPC (Annexure P-1) in cross case bearing FIR No.13 dated 10.02.2019 (Annexure P-2) under Sections 325, 323, 148, 149 IPC registered at Police Station Dhilwan, District Kapurthala and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 23, 2022

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