

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-17482-2022

Date of decision : 11.10.2022

SABHARAJ SINGH @ SHIVAM**... Petitioner(s)****Versus****STATE OF HARYANA AND ANOTHER****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Manu Sachdeva, Advocate for
Mr. Abhimanyu Singh, Advocate the petitioner(s).

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

Mr. Rahil Noorie, Advocate for
Mr. Parveen Sharma, Advocate for the complainant.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.16 dated 20.01.2019 (Annexure P-1) registered under Sections 406, 419, 420, 506, 467, 468, 471 and 120-B IPC at Police Station Bhondsi, District Gurugram along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the petitioner and respondent no.2.

Vide order dated 28.04.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 07.04.2022 (P-2).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 28.04.2022 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1st

Class, Sohna and as per the report dated 20.04.2021 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”***.

Further, the learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court in **Joginder Singh & another Vs. State of Punjab and another, CRM-M-23739-2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, CRM-M-37395-2016 decided on 16.05.2017** and **Bhoj Raj Vs. State of Punjab & another, CRM-24945-2019 decided on 27.09.2019**, submits that partial quashing of the FIR was possible on the basis of a compromise.

Keeping in view the law laid down by this Court in the
aforementioned judgments and the report of the learned Judicial
Magistrate, 1st Class, Sohna the FIR No.16 dated 20.01.2019
(Annexure P-1) registered under Sections 406, 419, 420, 506, 467, 468,
471 and 120-B IPC at Police Station Bhondsi, District Gurugram along
with all the consequential proceedings arising therefrom, are hereby
quashed qua the petitioner only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

11.10.2022
JITESH

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