

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19867-2019 (O & M)

Date of decision: 21.11.2022

Charanjit Singh @ Raju

..... Petitioner

V/s

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Adarsh Malik, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Atul Jain, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No.519/2017 dated 25.09.2017 under Section 63/65 of the Copy Right Act, 1957 registered at Police Station Gannaur (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise on the basis of compromise dated 14.03.2019 and affidavit dated 30.03.2019 of respondent No.2 (Annexures P-4 and P-5 respectively).

Vide order dated 17.08.2022 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 17.08.2022 with regard to the compromise and affidavit (Annexures P-4 and P-5).

In terms of the order dated 17.08.2022 passed by this Court parties have appeared before the court of Judicial Magistrate Ist Class,

Gannaur and as per his report dated 27.10.2022 submitted to this Court,
SUKHPREET KAUR
2022.11.24 12:54
I attest to the accuracy and
integrity of this document

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 Judicial Magistrate Ist Class, Ganaur, accompanied by the joint statement of both the parties, the FIR No.519/2017 dated 25.09.2017 under Section 63/65 of the Copy Right Act, 1957 registered at Police Station Gannaur (Annexure P-2) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 21, 2022
sukhpreet

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