

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

**CRM-M-25337 of 2021
Date of Decision:- 21.09.2022.**

Ajay

.....Petitioner

Versus

State of Haryana and another

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr.Naresh Kumar Chhokar, Advocate for the petitioner.

Mr.Amrik Narwal, DAG Haryana.

Mr.Nirbhay Garg, Advocate for respondent no.2.

NIDHI GUPTA, J. (ORAL)

The present petition was filed by the petitioner under Section 482 Cr.PC for quashing of FIR No.1045 dated 5.10.2017 under Sections 323, 341 & 506 IPC, PS Panipat City, Panipat (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 22.3.2021 (Annexure P-4) effected between the parties.

Vide order dated 6.7.2021, notice of motion was issued. Thereafter vide order dated 8.11.2021, parties were directed to appear before the Illaqa Magistrate/Trial Court on 6.1.2022 for recording their statements so as to ascertain the genuineness of the compromise

effected between them.

In compliance thereof, learned CJM, Panipat vide his report dated 17.1.2022, annexed with Flag-C has concluded that “ in view of the aforesaid joint statement of complainant as well as that of accused, the compromise in the present case appears to be genuine, voluntary and without any threat, fear inducement and pressure.....”

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 accompanied by statements of both the parties, the FIR in question and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

(Nidhi Gupta)
Judge

21.09.2022
Joshi

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