

217

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.24208 of 2022

Date of Decision: 30.08.2022

SUKHVEER SINGH

.....Petitioner

Vs

STATE OF PUNJAB AND ORSRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Abhishek Singla, Advocate for the petitioner.

Mr. Sanjeev Soni, Addl. A.G., Punjab.

Mr. Shubham Gupta, Advocate for respondents No.2 to 4.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioner has preferred this petition for quashing of FIR No.17 dated 25.01.2018 registered under Section 420 IPC at Police Station Maur, District Bathinda along with all the subsequent proceedings undertaken in pursuance thereof, on the basis of compromise deed dated 20.05.2022.

[2]. Vide order dated 30.05.2022, both the parties were directed to appear before the trial Court on 07.07.2022 i.e. the date already fixed before the trial Court for recording their statements in the context of genuineness of the compromise in question. The trial Court was directed to record the statements of the parties on different parameters viz. total number of accused persons and details of affected persons; information

regarding conviction/involvement of any of the accused in any other case and whether they are proclaimed offenders or pendency of such proceedings.

[3]. In compliance of the aforesaid order dated 30.05.2022, a report has been received from the Sub Divisional Judicial Magistrate, Talwandi Sabo, wherein it has been mentioned that the petitioner is sole accused in this FIR. Petitioner is not a proclaimed offender. FIR No.108 dated 24.06.2020 under Section 188 IPC, P.S. Kotwali, Bathinda is still pending against the petitioner. The compromise has been found to be genuine, voluntary and without any pressure, coercion or undue influence.

[4]. Learned counsel for the petitioner submits that petitioner is also an accused in FIR No.130 dated 20.07.2017 under Sections 341, 323, 506, 34 IPC, P.S. Maur and compromise has been effected in the said FIR as well and the quashing petition is pending in the High Court in the month of September, 2022.

[5]. Perusal of the aforesaid report would show that the parties have effected genuine compromise without there being any pressure, coercion or undue influence. In view of compromise there is a remote possibility of the complainant

coming forward to support the prosecution case. The powers under Section 482 Cr.P.C 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 in fully consonance with the direction issued by the Court in **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052** and **Gian Singh vs. State of Punjab and another, 2012 (4) RCR (Crl.) 543.**

[6]. Learned State counsel has objected to the aforesaid course, but in the interest of justice and also to prevent unnecessary continuation of criminal proceedings, I am of the view that inherent powers under Section 482 Cr.P.C can be exercised in order to achieve ends of justice.

[7]. Resultantly, FIR No.17 dated 25.01.2018 registered under Section 420 IPC at Police Station Maur, District Bathinda, as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[8]. Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

August 30, 2022

Atik

Whether speaking/reasoned Yes/No

Whether reportable Yes/No