

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-25495-2022 (O & M)

Date of decision:12.09.2022

Jasvir Singh and ors.

..... Petitioners

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Gaurav Kalsi, Advocate, for the petitioners.

Mr. Ravinder Singh, AAG, Punjab.

Mr. R.S. Joon, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the cross-case registered vide DDR No.20 dated 17.06.2017 under Sections 323, 324, 506, 148, 149 IPC registered at Police Station Dehlon, District Tarn Taran in FIR No.97 dated 17.06.2017 under Sections 323, 324, 447, 506, 148, 149, 511 IPC registered at Police Station Dehlon, District Ludhiana City and all consequential proceedings arising therefrom on the basis of compromise (Annexure P-3) arrived at between the parties.

Vide order dated 02.06.2022 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 02.06.2022 with regard to the compromise (Annexure P-3).

In terms of the order dated 02.06.2022 passed by this Court parties have appeared before the court of Judicial Magistrate Ist Class, Ludhiana and as per her report dated 26.08.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that accused-Jarnail Singh has expired and attested copy of his Death Certificate is Ex.C2 and rest of 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, 26.08.2022, accompanied by the joint statement of both the parties, cross-case registered vide DDR No.20 dated 17.06.2017 under Sections 323, 324, 506, 148, 149 IPC registered at Police Station Dehlon, District Tarn Taran in FIR No.97 dated 17.06.2017 under Sections 323, 324, 447, 506, 148, 149, 511 IPC registered at Police Station Dehlon, District Ludhiana City and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 12, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No