

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

**CRM-M-21902-2019 (O & M)**

**Date of decision: 15.07.2022**

Karan Diwan @ Karanvir Singh

..... Petitioner

V/s

State of Haryana and anr.

...Respondents

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: M. Bhupinder Ghai, Advocate, for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Mohit Kakkar, Advocate,  
for respondent No.2-complainant.

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**JASJIT SINGH BEDI, J. (Oral)**

The prayer in this petition is for the quashing of the FIR No.106 dated 15.06.2011 under Sections 406, 420 IPC and Section 24 of the Emigration Act, 1983 registered with Police Station Cheeka, District Kaithal and order dated 23.04.2012 passed by SDJM, Guhla whereby the petitioner was declared a proclaimed offender and all consequential proceedings arising therefrom on the basis of affidavit (Annexure P-1).

Vide order dated 15.05.2019, this Court had directed the parties to appear before Trial Court for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 15.05.2019 with regard to the compromise. Since, the petitioner-accused was in judicial custody, therefore, this Court had directed that the petitioner-accused is permitted to make the statement through his mother, namely, Saroj Rani, wife of Balbir

Singh through whom the petitioner entered into the compromise with the respondent-complainant

In terms of the order dated 15.05.2019 passed by this Court, the mother of the accused-petitioner, namely Saroj Rani and the complainant-respondent No.2 Paramjeet Singh have appeared before the court of Sub Divisional Judicial Magistrate, Guhla, District Kaithal, and as per his report dated 04.06.2019 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.***

A perusal of the order dated 15.05.2019 passed by the co-ordinate Bench of this Court, would reveal that the petitioner was in judicial custody, a fact admitted by his counsel.

In view of the aforesaid report of the learned Sub Divisional Magistrate, Ghula, District Kaithal, accompanied by the joint statement of

IPC and Section 24 of the Emigration Act, 1983 registered with Police Station Cheeka, District Kaithal and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

( JASJIT SINGH BEDI)  
JUDGE

July 15, 2022  
sukhpreet

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