IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-26603-2022

Date of Decision:-07.09.2022

Jagjit Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Jashandeep Singh Sandhu, Advocate for the Petitioners.

Mr. Ravinder Singh, AAG Punjab.

Mr. Abhinav Prashar, Advocate for respondent no.2.

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JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.86 dated 15.04.2022 (Annexure **P-1**) under Sections 308, 341, 323, 506, 427, 148, 149 IPC registered at Police Station Civil Lines Bathinda, District Bathinda and all consequential proceedings arising therefrom on the basis of compromise dated 04.06.2022 (Annexure P-2) arrived at between the parties.

Vide order dated 15.06.2022 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 15.06.2022 with regard to the compromise dated 04.06.2022 (Annexure P-2).

In terms of the order dated 15.06.2022 passed by this Court parties have appeared before the court of Mr. Mahesh Kumar Sharma, Chief Judicial Magistrate, Bathinda and as per his report dated 26.07.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

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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 learned Chief Judicial Magistrate, Bathinda accompanied by statements of both the parties, the FIR No.86 dated 15.04.2022 (Annexure **P-1**) under Sections 308, 341, 323, 506, 427, 148, 149 IPC registered at Police Station Civil Lines Bathinda, District Bathinda and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 07, 2022
Vinay

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

VINAY MAHAJAN
2022.09.07 16:26
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