

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

267

CRM-M-26430-2022

Date of Decision:-19.09.2022

Vikram Sharma @ Minku Sharma & ors.

.....Petitioners

Versus

State of Punjab & anr.

.....Respondents.

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

Present:- Mr. R.S. Rana, Advocate, for petitioners.

Mr. Jaiteshwara Singh, AAG Punjab.

Mr. Yagsimant Attri, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.0048, dated 22.02.2022 (Annexure P-1) under Sections 341, 323, 148, 149 and 506 IPC registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib and all other consequential proceedings arising therefrom on the basis of compromise dated 05.04.2022 (Annexure P-2) arrived at between the petitioners and respondent no.2.

Vide order dated 13.07.2022, 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 13.07.2022 with regard to the compromise dated 05.04.2022 (Annexure P-2).

In terms of the order dated 13.07.2022 passed by this Court parties have appeared before the Court of learned Sub Divisional Judicial

Magistrate, Amloh and as per his report dated 22.08.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

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 Sub Divisional Judicial Magistrate, Amloh, accompanied by statements of both the parties, the FIR No.0048, dated 22.02.2022 (Annexure **P-1**) under Sections 341, 323, 148, 149 and 506 IPC registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib and all other consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

19.09.2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>