

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

Sr. No.279-2

CRM-M-28006 of 2020

Date of Decision: 17.08.2022

Nirmal Kaur @ Manpreet Kaur and others

.....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr.Jogendra Singh, Advocate for
Mr. Bhupender Singh, Advocate for the petitioners.

Mr. Sidakmeet Singh Sidhu, AAG, Punjab.

Mr. Manoj Pundhir, Advocate for respondent No.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of cross case /GD No.20 dated 27.06.2020, registered under Sections 323, 341, 506 and 34 IPC (Section 325 IPC added later on) in FIR No.101 dated 27.06.2020, registered under Sections 323, 324, 506 and 34 IPC (Section 326 IPC added later on) at P.S.Kharar, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom, on the basis of compromise dated 20.07.2020 (Annexure P-3) arrived at between the parties.

Vide order dated 13.10.2020 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 13.10.2020 with regard to the compromise dated 20.07.2020 (Annexure P-3).

In terms of the order dated 13.10.2020 passed by this Court, parties have appeared before the Court of Ms. Shilpi Gupta, Sub Divisional Judicial Magistrate, Kharar and as per her report dated 08.12.2020 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, Kharar accompanied by statements of both the parties, the cross case /GD No.20 dated 27.06.2020, registered under Sections 323, 341, 506 and 34 IPC (Section 325 IPC added later on) in FIR No.101 dated 27.06.2020, registered under Sections 323, 324, 506 and 34 IPC (Section 326 IPC added later on) at P.S.Kharar, District SAS Nagar, Mohali and all subsequent proceedings arising therefrom qua the present petitioners, are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

17.08.2022
Maninder

Whether Speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No