

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28515-2022 (O & M)

Date of decision:08.09.2022

Dilbag Singh @ Joga and ors.

..... Petitioners

V/s

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. G.S. Bajwa, Advocate, for the petitioners.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Bhupinder K. Bhangu, Advocate,
for respondents No.2 and 3.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.262 dated 14.09.2017 under Sections 323, 324, 452, 427, 506, 148 and 149 IPC and Section 201 IPC added later on registered at Police Station Sultanpur Lodhi, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2) arrived at between the parties.

Vide order dated 07.07.2022 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 07.07.2022 with regard to the compromise (Annexure P-2).

In terms of the order dated 07.07.2022 passed by this Court parties have appeared before the court of Sub Divisional Judicial Magistrate, Sultanpur Lodhi and as per his report dated 22.08.2022 submitted to this Court, both the parties have got recorded their respective statements in Court except for accused-petitioner No.5-Gurmeet Singh @ Khanna, whose statement has been recorded through Video Conferencing as he is confined in Central Jail, Kapurthala.

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.***

In view of the aforesaid report of the Sub Divisional Judicial Magistrate, Sultanpur Lodhi, accompanied by the joint statement of both the parties, the proceedings qua FIR No. 262 dated 14.09.2017 under Sections 323, 324, 452, 427, 506, 148 and 149 IPC and Section 201 IPC (added later on) registered at Police Station Sultanpur Lodhi, District Kapurthala and all subsequent proceedings arising therefrom only are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 08, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No