

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31908-2021 (O & M)

Date of decision: 14.12.2022

Surinder Singh @ Shinda Singh and ors.

..... Petitioners

V/s

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Mohit Singla, Advocate,
for the petitioners.

Ms. Ramta Chaudhary, DAG, Punjab.

Mr. Brahmjeet Singh, Advocate,
for the complainant/respondents No.2 to 4.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 482 Cr.P.C. is for quashing of FIR No.78 dated 22.07.2020 under Sections 382/325/324/323/341/427/506/148/149 IPC and Sections 25/27 of the Arms Act registered at Police Station Bhindi Saidan, District Amritsar and all other consequential proceedings arising therefrom on the basis of a compromise dated 17.06.2021 (Annexure P-3).

Vide order dated 20.09.2021 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise (Annexure P-23 and the Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 20.09.2021 passed by this Court, the

per the report dated 08.02.2022 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 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”**.

Further, the learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court in **Joginder Singh & another Vs. State of Punjab and another, CRM-M-23739- 2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, CRM-M-37395-2016 decided on 16.05.2017, Bhoj Raj Vs. State of Punjab & another, CRM-24945-2019 decided on 27.09.2019 and Vimal Kalra & others Versus State of Punjab & another, CRMM-20355-2022, decided on 25.07.2022 and Kuldeep Singh & another Versus State of Punjab & another, CRM-M-40546-2018, decided on 10.07.2019** submits that partial

Keeping in view the law laid down by this Court in the
aforementioned judgments and the report of the Judicial Magistrate Ist
Class, Ajnala, the FIR No. 78 dated 22.07.2020 under Sections
382/325/324/323/341/427/506/148/149 IPC and Sections 25/27 of the Arms
Act registered at Police Station Bhindi Saidan, District Amritsar along with
all the consequential proceedings arising therefrom, are hereby quashed qua
the petitioners only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 14, 2022
sukhpreet

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