

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-29248-2022 (O & M)

Date of decision: 21.09.2022

Ishu Grover

..... Petitioner

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rohit Khullar, Advocate, for the petitioner.

Mr. Ravinder Singh, AAG, Punjab.

Ms. Rashneet Kaur, Advocate,
for Mr. Gagandeep Singh, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No.279 dated 09.12.2019 under Section 379-B IPC registered at Police Station Sadar Kharar and all subsequent proceedings arising therefrom on the basis of compromise dated 07.04.2022 (Annexure P-4) arrived at between the parties.

Vide order dated 12.07.2022 passed by this Court, the parties were directed to appear before the Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order with regard to the compromise (Annexure P-4).

In terms of the order dated 12.07.2022, passed by this Court the parties have appeared before the court of Additional Sessions Judge, SAS Nagar, Mohali, and as per his report dated 27.07.2022 submitted to this Court, both the parties have got recorded their respective statements in

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 Additional Sessions Judge, SAS Nagar, accompanied by the joint statement of both the parties, the FIR No. 279 dated 09.12.2019 under Section 379-B IPC registered at Police Station Sadar Kharar and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 21, 2022

sukhpreet

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