

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

CRM-M-33866-2021

Date of Decision:-27.04.2022

Sajan Sidhu.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Veneet Sharma, Advocate for Petitioner.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.

Mr. Deepak Aggarwal, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.45 dated 09.05.2013 (Annexure P-1) under Sections 336, 452, 427, 506, 34 IPC and Sections 25 & 27 of Arms Act registered at Police Station Majitha, Amritsar Rural, District Amritsar and all consequential proceedings arising therefrom on the basis of compromise dated 17.02.2021 (Annexure P-3) arrived at between the petitioners and respondent no.2.

Vide order dated 20.08.2021 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 20.08.2021 with regard to the compromise dated 17.02.2021 (Annexure P-3).

In terms of the order dated 20.08.2021 passed by this Court parties have appeared before the court of Mr. Gursheer Singh, Judicial Magistrate Ist Class, Amritsar and as per his report dated 11.04.2022 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 Judicial Magistrate Ist Class, Amritsar accompanied by statements of both the parties, the FIR No.45 dated 09.05.2013 (Annexure P-1) under Sections 336, 452, 427, 506, 34 IPC and Sections 25 & 27 of Arms Act registered at Police Station Majitha, Amritsar Rural, District Amritsar and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 27, 2022
Vinay

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