

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

CRM-M-31371-2022

Date of Decision:-18.08.2022

Manish Wadhwa & Ors.

.....Petitioners.

Versus

State of Haryana & Ors.

.....Respondents.

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

Present:- Mr. Saurabh Dalal, Advocate for the Petitioners.

Mr. Parveen Kumar Aggarwal, DAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of an FIR No.541 dated 27.11.2019 registered under Sections 406, 420 IPC registered at Police Station Sector 5, District Panchkula and all other consequential proceedings arising therefrom, on the basis of compromise in the shape of affidavit dated 27.04.2022 (Annexure P-1) entered into between the parties.

Vide order dated 21.07.2022 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 21.07.2022 with regard to the compromise dated 27.04.2022 (Annexure P-1).

In terms of the order dated 21.07.2022 passed by this Court parties have appeared before the court of Sh. Nitin Raj, Chief Judicial Magistrate, Panchkula and as per his report dated 10.08.2022 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 Chief Judicial Magistrate, Panchkula accompanied by statements of both the parties, the FIR No.541 dated 27.11.2019 registered under Sections 406, 420 IPC registered at Police Station Sector 5, District Panchkula and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 18, 2022

Vinay

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