

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

(Through Video Conferencing)

233

CRM-M-27732-2019

Date of decision : 03.03.2022

Santa Singh and others

... Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM : HON'BLE MR.JUSTICE JASJIT SINGH BEDI

Present : Mr.H.S.Batth, Advocate
for the petitioners.
Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Jasjit Singh Bedi, J.

The Prayer in this petition is for quashing of FIR No.76 dated 05.05.2019 (Annexure P-1) under Section 452, 380, 323, 34 IPC registered at Police Station Sadar Patti, District Tarn Taran and all consequential proceedings arising therefrom on the basis of compromise dated 15.05.2019 (Annexure P-2) arrived at between the petitioner and respondent no.2.

Vide order dated 03.07.2019 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 with regard to the compromise/settlement dated 15.05.2019 (P-2).

In terms of the order dated 03.07.2019 passed by this Court parties have appeared before the court of Mr. Munish Garg, PCS, Sub Divisional Judicial Magistrate, Patti and as per his report dated 01.08.2019 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 Sub Divisional Judicial Magistrate, Patti accompanied by statements of both the parties, the FIR No.76 dated 05.05.2019 (Annexure P-1) under Section 452, 380, 323, 34 IPC registered at Police Station Sadar Patti, District Tarn Taran and all consequential proceedings arising arising therefrom are hereby quashed.

Petition stands disposed of

03.03.2022
sd

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No