

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36037-2021 (O & M)

Date of decision: 16.09.2022

Sahir and ors.

..... Petitioners

V/s

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Manoj Kaushik, Advocate for the petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Karan Bhardwaj, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of an FIR No.191 dated 07.07.2017 under Sections 148, 149, 323, 324, 452, 506 IPC and Sections 325/326 IPC (Added later on) registered at Police Station Bahin, District Palwal and all consequential proceedings arising therefrom on the basis of compromise dated 16.08.2021 (Annexure P-2) arrived at between the parties.

Vide order dated 03.09.2021, 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 03.09.2021 with regard to the compromise (Annexure P-2).

In terms of the order dated 03.09.2021 passed by this Court parties have appeared before the court of Judicial Magistrate Ist Class, Hathin and as per the report dated 02.11.2021 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 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, Hathin, accompanied by the joint statement of both the parties, the FIR No. 191 dated 07.07.2017 under Sections 148, 149, 323, 324, 452, 506 IPC and Sections 325/326 IPC (Added later on) registered at Police Station Bahin, District Palwal and all consequential proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 16, 2022

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