

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

257

CRM-M-30966-2020

Date of Decision: 21.09.2022

Harpreet Singh and another

.....Petitioners

Vs

State of Punjab and another

....Respondents

CORAM : HON'BLE MS.JUSTICE NIDHI GUPTA

Present: None for the petitioners.

Ms. Ramta Chowdhary, DAG, Punjab.

None for respondent no.2.

NIDHI GUPTA, J. (Oral)

The present petition was filed by the petitioners under Sections 482 Cr.PC for quashing of FIR No.38 dated 17.03.2019 under Section 420 of the IPC, Police Station Garhshankar, District Hoshiarpur, alongwith all consequential proceedings arising therefrom on the basis of compromise dated 15.10.2019 (Annexure P-3) effected between the parties.

Pursuant to the order dated 21.12.2020, the report of the learned SDJM, Garhshankar, dated 15.01.2021, has been received.

None appears for the petitioners as also respondent no.2.

Perused the report of the Court below.

A perusal of the report at Flag-A reveals that the learned SDJM after recording statements of the parties, has in his report dated 15.01.2021 concluded that “it is crystallized that the compromise has been

arrived at genuinely and is made voluntarily without any pressure or coercion.”

In view of the compromise there is a remote possibility of the complainant(s) 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 accompanied by statements of both the parties, the FIR in question and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

September 21, 2022
dharamvir

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO