

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

265

CRM-M-36982-2021

Date of Decision:19.09.2022

Ajmer Singh and others	Petitioners
Vs	
State of Punjab and another	Respondents

CRM-M-36990-2021

Jagsir Singh and others	Petitioners
Vs	
State of Punjab and another	Respondents

CORAM : HON'BLE MS.JUSTICE NIDHI GUPTA

Present: Mr. Munish Puri, Advocate,
 for the petitioners in CRM-M-36982-2021
 for respondent no.2 in CRM-M-36990-2021

Mr. Sanjeev Kumar, Advocate,
for the petitioners in CRM-M-36990-2021
for respondent no.2 in CRM-M-36982-2021

Mr. Aman Dhir, AAG, Punjab.

NIDHI GUPTA, J. (Oral)

By CRM-M-36982-2021 the petitioners seek quashing of FIR No.72, dated 01.07.2018, registered at Police Station Sri Hargobindpur, District Batala, alleging therein the commission of offences punishable under Sections 326 and 34 the IPC. The petitioners in CRM-M-36990-2022 seek quashing of the cross-version to the said FIR, registered vide DDR(GD) No.21, dated 02.07.2018, at same Police Station, alleging therein the commission of offences punishable under Sections 452, 324, 323, and 34 of the IPC, as also all other subsequent proceedings arising therefrom, both on the basis of a compromise (copy Annexures P-2 and P-3 respectively) arrived at between the petitioners and the 'private respondents' in each petition.

Pursuant to the orders dated 18.11.2021 in each petition, the report of the learned JMIC, Batala, dated 24.11.2021, has been received.

Heard learned counsel for the parties and perused the report of the Court below.

A perusal of the reports at Flag-B annexed with each petition reveal that the learned JMIC, Batala, after recording statements of the parties, has in his report dated 24.11.2021 concluded that “this court is satisfied that the parties have made an amicable settlement and have recorded their statements in the court without any fear, pressure, threat or coercion and out of their free will.”

He further stated that none of the accused/petitioners have been declared as proclaimed offender and no other criminal proceedings pending against them.

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 as also the cross-version thereto and all consequential proceedings arising therefrom are hereby quashed qua the petitioners in each petition.

A photocopy of this order be placed on the file of the other connected case.

September 19, 2022
dharamvir

(NIDHI GUPTA)
JUDGE

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