

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

**CRM-M-33131-2022 (O & M)**

**Date of decision: 29.11.2022**

Naresh Kumar @ Rinku

..... Petitioner

V/s

State of Punjab and anr.

...Respondents

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

Present: Mr. Shekhar Kumar, Advocate, for the petitioner.

Ms. Ramta Chaudhary, DAG, Punjab.

Mr. Malkiat S. Hundal, Advocate,  
for Ms. Harmanpreet Kaur, Advocate,  
for respondent No.2.

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**JASJIT SINGH BEDI, J. (Oral)**

The prayer in this petition is for quashing of FIR No.107 dated 16.06.2015 under Sections 498-A and 323 IPC registered with Police Station City Kharar, District SAS Nagar (Mohali), Punjab and all other subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2), entered into between the parties.

Vide order dated 29.07.2022 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 29.07.2022 with regard to the compromise (Annexure P-2).

In terms of the order dated 29.07.2022 passed by this Court parties have appeared before the court of Sub Divisional Judicial Magistrate, Kharar and as per his report dated 07.09.2022 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 Sub Divisional Judicial Magistrate, Kharar, accompanied by the joint statement of both the parties, the proceedings in FIR No. 107 dated 16.06.2015 under Sections 498-A and 323 IPC registered with Police Station City Kharar, District SAS Nagar (Mohali), Punjab and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

November 29, 2022  
sukhpreet

( JASJIT SINGH BEDI)  
JUDGE

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