

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-30071-2019

Date of Decision:-05.07.2022

Vikas Kumar @ Ors.

.....Petitioners.

Versus

State of Haryana & Anr.

.....Respondents.

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

Present:- Mr. Deepender Singh, Advocate for the Petitioners.

Mr. Praveen Kumar Aggarwal, Deputy Advocate General,
Haryana.

Mr. Mohit, Advocate for
Mr. Samir Tiwari, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.133 dated 06.03.2018 (Annexure P-1) under Sections 419, 420 IPC registered with Police Station Sector 31, District Faridabad and final report under Section 173 Cr.PC dated 06.07.2018 under Section 419, 420, 380 IPC (Annexure P-2) and all consequential proceedings arising therefrom on the basis of compromise dated 01.07.2019 (P-3) arrived at between the parties.

Vide order dated 18.02.2020 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 18.02.2020 with regard to the compromise dated 01.07.2019 (P-3).

In terms of the order dated 18.02.2020 passed by this Court parties have appeared before the court of Mr. Mohammad Sageer, Judicial Magistrate Ist Class, Faridabad and as per his report dated 07.03.2020

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 Judicial Magistrate Ist Class, Faridabad accompanied by statements of both the parties, the FIR No.133 dated 06.03.2018 (Annexure **P-1**) under Sections 419, 420 IPC registered with Police Station Sector 31, District Faridabad and final report under Section 173 Cr.PC dated 06.07.2018 under Section 419, 420, 380 IPC (Annexure P-2) and all consequential proceedings arising arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 05, 2022

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>