

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

CRM-M-36760-2022

Date of Decision:-24.11.2022

Maninderjit Singh.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. B.B.S. Randhawa, Advocate for the Petitioner.

Ms. Ramta Chowdhary, Deputy Advocate General, Punjab.

Ms. Mandeep Kaur, Advocate for respondent nos.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.83 dated 11.10.2019 under Sections 469, 506 IPC and Section 66(A) and 66(D) of Information Technology Act, registered with Police Station Fatehgarh Churian, Police District Batala and all consequential proceedings arising therefrom on the basis of compromise dated 05.02.2020 (Annexure P-2) arrived at between the parties.

Vide order dated 22.08.2022 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 22.08.2022 with regard to the compromise dated 05.02.2020 (Annexure P-2).

In terms of the order dated 22.08.2022 passed by this Court parties have appeared before the court of Manpreet Sohi, Judicial Magistrate Ist Class, Batala and as per report dated 06.09.2022 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, Batala accompanied by statements of both the parties, the FIR No.83 dated 11.10.2019 under Sections 469, 506 IPC and Section 66(A) and 66(D) of Information Technology Act, registered with Police Station Fatehgarh Churian, Police District Batala and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 24, 2022

Vinay

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