

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

CRM-M-36794-2022

Date of Decision:-07.11.2022

Kunal Khurana & Anr.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Petitioners Kunal Khurana & Puja Khurana in person.

Complainants Sanjoli Manchanda and Ms. Nidhi Khurana
in person.

Investigating Officer ASI Charanjit Singh in person.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.37 dated 08.04.2022 (Annexure P-1) under Sections 419, 420, 467, 468, 471 and 120-B IPC registered at Police Station Division-D, District Police Commissionerate, Amritsar and all consequential proceedings arising therefrom on the basis of compromise dated 05.08.2022 (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 05.08.2022 (Annexure P-2).

In terms of the order dated 22.08.2022 passed by this Court parties have appeared before the court of Ms. Ravneet Kaur Bedi, Judicial Magistrate, Ist Class, Amritsar and as per her report dated 22.09.2022 submitted to this Court, both the parties have got recorded their respective

statements in Court.

Photocopies of Aadhaar Cards of both the petitioners as well as of the complainants-respondent nos.2 & 3 along with Identity Card of the Investigating Officer ASI Charanjit Singh, Police Station D-Division, Amritsar are taken on record for the purpose of their identification. The IO has identified both the parties 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, Amritsar accompanied by statements of both the parties, the FIR No.37 dated 08.04.2022 (Annexure P-1) under Sections 419, 420, 467, 468, 471 and 120-B IPC registered at Police Station Division-D, District Police Commissionerate, Amritsar and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 07, 2022
Vinay

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