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

**CRM-34911-2022 in /and
CRM-M-44495-2021
Date of decision : 22.09.2022**

CHARANJIT AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Pankaj Garg, Advocate for the petitioners.

Mr. Ravinder Singh, Asstt. A.G., Punjab.

Mr. Shadab Ahmed, Advocate for respondent Nos.2 to 7.

JASJIT SINGH BEDI, J. (ORAL)

CRM-34911-2022

This is an application filed under Section 482 Cr.P.C. for preponing the date of hearing in the case i.e. fixed for 21.09.2022.

The instant application has been rendered infructuous as the main case is fixed for today only.

CRM-M-44495-2021

The prayer in this petition is for quashing of an FIR No.0051 dated 01.05.2021 (Annexure P-1) registered under Sections 307, 324, 506, 148 and 149 of IPC, 1860 at Police Station Garhshankar, District Hoshiarpur along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

The learned State counsel on instructions from SI Balbir Singh states that Section 307 IPC has been deleted and Section 324 IPC has been added in the aforesaid FIR No.0051 dated 01.05.2021.

Vide order dated 25.10.2021 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 24.08.2021 (P-3).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 25.10.2021 passed by this Court, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Garhshankar and as per the report dated 07.12.2021 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 learned Sub Divisional Judicial Magistrate, Garhshankar, accompanied by statements of both the parties, the FIR No.0051 dated 01.05.2021 (Annexure P-1) registered under Sections 307, 324, 506, 148 and 149 of IPC, 1860 at Police Station Garhshankar, District Hoshiarpur along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

22.09.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No