

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

CRM-M-34309-2019(O&M)

Date of Decision:-05.08.2022

Raman Kumar @ Ramandeep Kumar & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Davinder Singh Khurana, Advocate for
Mr. Rajat Dogra, Advocate for the applicants/Petitioners.

Mr. Kirat Singh Sidhu, DAG Punjab.

Mr. Jaswinder Singh, Advocate for
Mr. Rajinder Singh, Advocate for respondent nos.2.

JASJIT SINGH BEDI, J.(ORAL)

CRM-27157-2022

The prayer in the application under Section 482 Cr.PC is for preponement of date of hearing fixed in the main petition i.e. 23.08.2022 to some early date.

For the reasons stated in the application duly supported by affidavit of one of the applicants/petitioners, the same is allowed and the date of hearing in the main petition is preponed from 23.08.2022 to today itself and same is taken up for hearing.

CRM-M-34309-2019

The Prayer in this petition is for quashing of Rapat No.26 dated 01.01.2019 (Annexure P-2) under Sections 452, 323, 427, 148, 149 IPC registered as Cross Case of FIR No.118 dated 31.12.2018 (Annexure P-1) under Sections 452, 323, 427, 148, 149 IPC registered at Police Station Vairoke, District Fazilka and all consequential proceedings arising therefrom on the basis of compromise

dated 10.05.2019 (Annexure P-3) arrived at between the parties.

Vide order dated 26.08.2019 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 26.08.2019 with regard to the compromise dated 10.05.2019 (Annexure P-3).

In terms of the order dated 26.08.2019 passed by this Court parties have appeared before the court of Sh. Rajiv Kumar Garg, Judicial Magistrate, Ist Class, Jalalabad and as per his report dated 01.11.2019 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, Jalalabad accompanied by statements of both the parties, the Rapat No.26 dated 01.01.2019 (Annexure P-2) under Sections 452, 323, 427, 148, 149 IPC registered as Cross Case of FIR No.118 dated 31.12.2018 (Annexure P-1) under Sections 452, 323, 427, 148, 149 IPC registered at Police Station Vairoke, District Fazilka and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 05, 2022

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