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

CRM-M-41619-2020

Date of Decision:25.08.2022

LABH KUMAR AND ORS

.....Petitioners

Vs

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: *HON'BLE MR. JUSTICE SANJAY VASHISTH*

Present: Mr. G.S. Thinda, Advocate
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Sarabjit Singh, Advocate for
respondent No.2.

SANJAY VASHISTH, J. (Oral)

The prayer in this petition filed under Section 482 Cr.P.C., is for quashing of an FIR No.006, dated 11.01.2020, lodged under Sections 420, 120-B of IPC, 1860, Section 13 Punjab Travel Professionals (Regulation) Act, 2014 registered at Police Station City Samana, District Patiala (Annexure P-1) on the basis of a compromise and affidavit dated 18.01.2020 (Annexures P-2 & P-3), arrived at between the parties.

Vide order dated 10.05.2022, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise-deed dated 18.01.2020 (Annexures P-2 & 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 10.05.2022 passed by this Court, the parties have appeared before the Sub Division Judicial Magistrate, Samana and as per the report dated 30.05.2022 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 Judicial Magistrate 1 st Class, Sonipat, accompanied by statements of both the parties, the FIR No.006, dated 11.01.2020, lodged under Sections 420, 120-B of IPC, 1860 Act, Section 13 Punjab Travel Professionals (Regulation) Act, 2014 registered at Police Station City Samana, District Patiala (Annexure P-1), along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

25.08.2022
Amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No