

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

SR. No.252

CRM-M-35785-2019

Date of Decision:09.05.2022

Amandeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. M.K. Dhot, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Inder Pal Singh, Advocate for respondent No.2.

JASJIT SINGH BEDI, J.

The prayer in this petition is for quashing of FIR No.164 dated 20.09.2018 registered under Sections 279/337/427 IPC (Section 338 IPC added later on) at Police Station City Dhuri, District Sangrur and all other consequential proceedings, on the basis of compromise.

Vide order dated 29.08.2019, this Court had directed the parties to appear before the trial Court/Illaq Magistrate for getting their statements recorded with regard to the compromise dated 10.08.2019 (P-2).

The Illaq 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 29.08.2019 passed by this Court, the parties have appeared before the learned Sub Divisional Judicial Magistrate, Dhuri and as per the report dated 05.10.2019 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, Dhuri accompanied by statements of both the parties, FIR No.164 dated 20.09.2018 registered under Sections 279/337/427 IPC (Section 338 IPC added later on) at Police Station City Dhuri, District Sangrur along with all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

09.05.2022
mks

(JASJIT SINGH BEDI)
JUDGE

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO