

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

**CRM-47425-2022 in
CRM-M-49260-2021
Date of decision : 19.12.2022**

Dharminder Singh & ors.

... Petitioner(s)

Versus

State of Punjab & anr.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amit Sharma, Advocate
for the petitioner(s).

Mr. Kirat Singh Sidhu, D.A.G, Punjab.

Mr. Anshul Sharma, Advocate for
Mr. D.S. Sidhu, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

This is an application filed under Section 482 Cr.P.C. for preponing the date of hearing in the case i.e. fixed for 16.01.2023.

Notice in the application.

Mr. Kirat Singh Sidhu, D.A.G, Punjab accepts notice on behalf of the respondent-State.

For the reasons mentioned in the application, the same is allowed and the date of hearing is preponed from 16.01.2023 to today and the matter is taken up on board today itself.

CRM-M-49260-2021

The prayer in this petition is for quashing of an FIR No.37 dated 06.03.2020 (Annexure P-1) registered under Sections 323, 341, 452, 506, 148, 149 of the IPC, 1860 at Police Station P.A.U.

Ludhiana along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the petitioner and respondent no.2.

Vide order dated 03.12.2021 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 29.09.2021 (P-2).

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 03.12.2021 passed by this Court, the parties have appeared before the learned Civil Judge, Jr. Division-cum-Judicial Magistrate, 1st Class, Ludhiana and as per the report dated 15.02.2022 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 Civil Judge, Jr. Division-cum-Judicial Magistrate, 1st Class, Ludhiana accompanied by statements of both the parties, the FIR No.37 dated 06.03.2020 (Annexure P-1) registered under Sections 323, 341, 452, 506, 148, 149 of the IPC, 1860 at Police Station P.A.U. Ludhiana along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

19.12.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No