

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

SR. No.263

CRM-M-49240-2021 (O&M)

Date of Decision:09.05.2022

Kulwant Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Maninder Singh Saini, Advocate,
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Karanjot singh Jhikka, Advocate for respondent No.2.

JASJIT SINGH BEDI, J.

The prayer in this petition is for quashing of FIR No.0006 dated 10.01.2021 registered under Sections 323/325/34 & 452 IPC at Police Station Mehtiana, Hoshiarpur, Punjab and all other consequential proceedings, on the basis of compromise.

Vide orders dated 24.11.2021 and 25.02.2022, 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 14.07.2022 (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 orders dated 24.11.2021 and 25.02.2022 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1st Class, Hoshiarpur, and as per the report dated 02.04.2022 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 1st Class, Hoshiarpur, accompanied by statements of both the parties, FIR No.06 dated 10.01.2021 registered under Sections 323/325/34/452 IPC at Police Station Mehtiana, Hoshiarpur, along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

09.05.2022
mks

(JASJIT SINGH BEDI)
JUDGE

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO