

**(258) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-43428-2019
Date of decision :.25.04.2022

Rambir @ Ballu

... Petitioner

Versus

State of Haryana & Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Shashikant Singh, Advocate for
Mr. Vipul Sharma, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.123 dated 06.06.1992 (Annexure P-1) registered under Sections 326, 324, 452 and 34 IPC at Police Station Hathin, District Faridabad (Now Palwal), Haryana 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 14.10.2019 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 26.07.2019 (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 14.10.2019 passed by this Court, the parties have appeared before the learned Sub-Divisional Judicial Magistrate, Hathin and as per the report dated 04.12.2019 submitted to

this Court, both the parties have got recorded their respective statements in Court. Further, deposit receipt qua the amount of Rs.10,000/- issued by the office of District Legal Services Authority, Palwal has also been submitted and the same is taken on record.

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, Hathin accompanied by statements of both the parties, the FIR No.123 dated 06.06.1992 (Annexure P-1) registered under Sections 326, 324, 452 and 34 IPC at Police Station Hathin, District Faridabad (Now Palwal), Haryana along with all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

25.04.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No