

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-45364-2019

Date of Decision:-12.07.2022

Jatinder Pal Singh Gill & Anr.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Amandeep Singh Meho, Advocate for the Petitioner.

Mr. Sidakmeet Singh Sandhu, AAG Punjab.

Mr. Varun Goyal, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.329 dated 12.12.2018 (Annexure P-1) under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station City Kharar, District SAS Nagar and all consequential proceedings arising therefrom on the basis of compromise dated 07.10.2019 (Annexure P-3) arrived at between the parties.

Vide order dated 10.02.2020 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 10.02.2020 with regard to the compromise dated 07.10.2019 (Annexure P-3).

In terms of the order dated 10.02.2020 passed by this Court parties have appeared before the court of Ms. Shilpi Gupta, Sub Divisional Judicial Magistrate, Kharar and as per her report dated 18.03.2020 submitted to this Court, both the parties have got recorded their respective statements in Court.

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.*** It is further stated that except the present case one another FIR No.20/2019 under Section 302 148, 149 IPC and Sections 25/54/59 of Arms Act stands registered against the petitioner no.1 herein on the statement of one Sukhwinder Singh, which has no bearing on the present case.

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Kharar accompanied by statements of both the parties, the FIR No.329 dated 12.12.2018 (Annexure P-1) under Sections 420, 465, 467, 468, 471, 120-B IPC registered at Police Station City Kharar, District SAS Nagar and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 12, 2022
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No