

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

**CRM-M-45963-2019  
Date of decision :.07.03.2022**

**Bhedda @ Ravi Khanna & others**

**... Petitioners**

**Versus**

**State of Punjab & & Anr.**

**...Respondents**

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

Present: Mr. Sanjeev Roy, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, DAG, Punjab.

Mr. J.S. Dadwal, Advocate for respondent No.2.

**(Through Video Conferencing)**

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**JASJIT SINGH BEDI, J. (ORAL)**

The prayer in this petition is for quashing of an FIR No.145 dated 10.09.2014 (Annexure P-1) registered under Sections 324, 326, 451, 148 and 149 IPC, 1860 (Sections 307 & 452 deleted and Sections 326 and 451 IPC added later on) Police Station Division No.8, District Jalandhar City, along with all the consequential proceedings arising therefrom, on the basis of a compromise dated 03.10.2019 (Annexure P-2) arrived at between the petitioner and respondent No.2.

Vide order dated 29.10.2019 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 03.10.2019 (P-2) and 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 29.10.2019 passed by a Coordinate Bench of this Court, the parties have appeared before the learned Judicial Magistrate, 1<sup>st</sup> Class, Jalandhar and as per the report dated 28.01.2020 submitted to this Court, both the parties have got recorded their respective statements in Court. It is stated in the report that one of the accused, namely, Pawan Kumar, has been declared as a proclaimed person on 25.02.2016.

At this stage, the learned counsel for the petitioners, while placing reliance upon the judgments passed by this Court in 'Joginder Singh & another Vs. State of Punjab and another', CRM-M-23739-2010 decided on 27.04.2011, 'Rajinder Singh Vs. State of Punjab & another', CRM-M-37395-2016 decided on 16.05.2017 and 'Bhoj Raj Vs. State of Punjab & another', CRM-24945-2019 decided on 27.09.2019, submits that partial quashing of the FIR, may be done, on the basis of compromise.

A perusal of the aforesaid report would show that the parties have effected 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”.***

Keeping in view the law laid down by this Court in the aforementioned judgments and the report of the learned Judicial Magistrate, 1<sup>st</sup> Class, the FIR No.145 dated 10.09.2014 (P-1) registered under Sections 324, 326, 451, 148 and 149 IPC, (Sections 307 & 452 deleted and Sections 326 and 451 IPC added later on) Police Station Division No.8, District Jalandhar City, along with all the consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

However, it is made clear that the proceedings qua accused-Pawan Kumar, who has been declared as a proclaimed person, shall continue.

Petition stands disposed of.

**(JASJIT SINGH BEDI)**  
**JUDGE**

**07.03.2022**  
JITESH

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**