

**(263A) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-46289-2019
Date of decision : 05.04.2022

Michael & others

... Petitioners

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. L.S. Lakhanpal, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, DAG, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of the DDR i.e. General Dairy No.50 dated 13.03.2018, registered under Sections 323, 341, 506 and 34 IPC at Police Station Rama Mandi, District Jalandhar (Annexure P-2) in case FIR No.45 dated 13.03.2018 (Annexure P-1) registered under Sections 323, 148, 149, 452, 506 IPC at Police Station Rama Mandi, Police Commissionerate, Jalandhar, District Jalandhar and all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 25.11.2019 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 05.10.2019 (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 19.02.2020 passed by this Court, the parties have appeared before the learned District and Sessions Judge,

Jalandhar and as per the report dated 21.01.2020 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 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 District and Sessions Judge, Jalandhar accompanied by statements of both the parties, the DDR i.e. General Dairy No.50 dated 13.03.2018, registered under Sections 323, 341, 506 and 34 IPC at Police Station Rama Mandi, District Jalandhar (Annexure P-2) in case FIR No.45 dated 13.03.2018 (Annexure P-1) registered under Sections 323, 148, 149, 452, 506 IPC at Police Station Rama Mandi, Police Commissionerate, Jalandhar, District Jalandhar and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

05.04.2022

JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No