

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22825-2018 (O & M)

Date of decision: 04.03.2022

Randhir Singh and anr.

..... Petitioners

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jagtar Singh Sidhu, Advocate, for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Ms. Suman Kaur Bishnoi, Advocate,
for Mr. Gurbir Singh Sidhu, Advocate,
for respondents No.2 to 5.

JASJIT SINGH BEDI, J. (Oral)

The Prayer in this petition is for the quashing of the FIR No.79 dated 19.09.2017 (Annexure P-1) under Sections 353, 186, 506 and 34 IPC registered with Police Station City-1, Tehsil & District Mansa and all consequential proceedings arising therefrom on the basis of compromise/settlement (Annexure P-2) arrived at between the petitioner and respondents no.2 to 5.

Vide order dated 16.11.2018 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 16.11.2018 with regard to the compromise/settlement (Annexure P-2).

In terms of the order dated 16.11.2018 passed by this Court parties have appeared before the court of Chief Judicial Magistrate, Mansa and as per his report dated 01.12.2018 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 Chief Judicial Magistrate, Mansa, accompanied by statements of both the parties, the FIR No.79 dated 19.09.2017 (Annexure P-1) under Sections 353, 186, 506 and 34 IPC registered with Police Station City-1, Tehsil & District Mansa, and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 04, 2022
sukhpreet

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