

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

243

**CRM-M-53871-2018
Decided on : 30.08.2022**

Amrat Singh and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Charanpal Singh Bagri, Advocate
for the petitioner(s).

Mr. A.S. Sandhu, AAG, Punjab.

Mr. H.P.S. Ishar, Advocate for
Mr. Anil Kumar Pandey, Advocate
for respondent No.2.

SANJAY VASHISTH, J. (Oral)

The prayer in this petition filed under Section 482 Cr.P.C., is for quashing of an FIR No.75, dated 30.08.2018, lodged under Sections 365, 323, 506, 148, 149 of IPC, registered at Police Station Khamano, District Fatehgarh Sahib (Annexure P-1), along with all consequential proceedings arising therefrom on the basis of a compromise dated 20.11.2018 (Annexure P-2) (date wrongly mentioned as 10.08.2010 in the index of the petition), arrived at between the parties.

Vide order dated 07.12.2018, this Court had directed the parties to appear before Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 20.11.2018 (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 orders dated 07.12.2018 passed by this Court, the parties have appeared before the Sub Divisional Judicial Magistrate,

Khamanon, and as per the report dated 14.02.2019 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 Sub Divisional Judicial Magistrate, Khamanon, accompanied by statements of both the parties, the FIR No.75, dated 30.08.2018, lodged under Sections 365, 323, 506, 148, 149 of IPC, registered at Police Station Khamano, District Fatehgarh Sahib, along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 30, 2022
J.Ram

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