

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

CRM-M-53407-2019(O&M)

Date of Decision:-25.08.2022

Jagtar Singh.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondent.

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

Present:- Mr. Shivraj Angi, Advocate for the Petitioner.

Mr. Ravinder Singh, AAG Punjab.

Mr. Joginder Singh, Advocate for

Mr. Joginder Singh Hooda, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

CRM-15230-2022

Allowed as prayed for.

CRM-15234-2022

Allowed as prayed for.

Documents i.e. Zimni Orders passed by by the JMIC, Abohar are taken on record as Annexure P-4. Registry to place the same at appropriate place and paginate the paper book accordingly.

CRM-M-53407-2019

The Prayer in this petition is for quashing of FIR No.0012 dated 15.02.2016 (Annexure P-1) under Sections 420, 465, 467, 468, 471, 506 and 120-B IPC registered at Police Station City-2, Abohar, District Fazilka and all consequential proceedings arising therefrom on the basis of compromise dated 20.11.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 16.12.2019/20.04.2022 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 16.12.2019/20.04.2022 with regard to the compromise dated 20.11.2019 (Annexure P-2).

In terms of the orders dated 16.12.2019/20.04.2022 passed by this Court parties have appeared before the court of Sh. Harpreet Singh, Sub Divisional Judicial Magistrate, Abohar and as per his report dated 19.02.2020 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***.

In view of the aforesaid report of the learned Sub Divisional Judicial Magistrate Abohar accompanied by statements of both the parties, the FIR No.0012 dated 15.02.2016 (Annexure P-1) under Sections 420, 465, 467, 468, 471, 506 and 120-B IPC registered at Police Station City-2, Abohar, District Fazilka and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 25, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>