

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-54678-2019 (O & M)

Date of decision: 01.04.2022

Shani Vats Singh

..... Petitioner

V/s

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr.Abhinay Goel, Advocate, for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Arjun Kumar Shukla, Advocate,
for respondent No.2-complainant.

JASJIT SINGH BEDI, J. (Oral)

CRM-11266-2021

This is an application under Section 482 Cr.P.C. seeking preponement of the main petition.

Since the prayer for preponement of the main petition has been made way back in the year, 2021 and the main case itself is listed for today, therefore, the prayer made in the application CM-11266-2021 has been rendered infructuous.

Ordered accordingly.

CRM-M-54678-2019 (O & M)

The Prayer in this petition is for the quashing of the FIR No.72 dated 10.06.2018 under Sections 323, 341, 342, 365, 506 IPC at Police Station-GRP, Chandigarh and all consequential proceedings arising

therefrom on the basis of compromise/settlement (Annexure P-2) arrived at between the petitioner and respondent No.2-complainant.

Vide order dated 20.12.2019 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 20.12.2019 with regard to the compromise/settlement (Annexure P-2).

In terms of the order dated 20.12.2019 passed by this Court parties have appeared before the court of Chief Judicial Magistrate, Panchkula, and as per his 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 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, Panchkula, accompanied by the joint statement of both the parties, the FIR No.72 dated 10.06.2018 under Sections 323, 341, 342, 365

and 506 IPC at Police Station-GRP, Chandigarh, and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 01, 2022
sukhpreet

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