

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

CRM-M-54564-2019

Date of Decision:-08.08.2022

Pardeep Kumar & Anr.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Jasraj Singh, Advocate for Petitioners.

Mr. R.S. Khaira, AAG Punjab.

Mr. Parunjueet Singh, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.29 dated 08.04.2016 (Annexure P-1) under Sections 323, 324, 451, 427 and 34 IPC registered at Police Station Chabbewal, District Hoshiarpur and all consequential proceedings arising therefrom on the basis of compromise dated 24.10.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 18.02.2021 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 18.02.2021 with regard to the compromise dated 24.10.2019 (Annexure P-2).

In terms of the order dated 18.02.2021 passed by this Court parties have appeared before the court of Ms. Shveta Thakur, Judicial Magistrate, Ist Class, Hoshiarpur and as per her report dated 22.03.2021 submitted to this Court, both the parties have got recorded their respective statements in Court. The trial Court further submits that the petitioner no.2-Mandeep Kumar has since died and his death Certificate has been

enclosed with the report.

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 Judicial Magistrate Ist Class, Hoshiarpur accompanied by statements of both the parties, the FIR No.29 dated 08.04.2016 (Annexure P-1) under Sections 323, 324, 451, 427 and 34 IPC registered at Police Station Chabbewal, District Hoshiarpur and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 08, 2022
Vinay

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