

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

CRM-M-1401-2022

Date of Decision:-09.08.2023

Dara Khan @ Sardar Mohd. @ Sardar Mohd. & Ors.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Imran Farooqi, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, Assistant Advocate General, Punjab.

Mr. Arun Kumar Sharma, Advocate for

Mr. Ravi Malik, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of Complaint dated 16.08.2013 titled as Janate Vs. Ashraf Khan & Ors. bearing COMI/10/2014 under Sections 452, 342, 307, 326, 323, 506, 148, 149, 34 IPC P.S. Ahmedgarh, District Sangrur and all consequential proceedings arising therefrom on the basis of compromise dated 10.12.2021 (Annexure P-3) arrived at between the parties.

Vide order dated 01.02.2022 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 01.02.2022 with regard to the compromise dated 10.12.2021 (Annexure P3).

In terms of the order dated 01.02.2022 passed by this Court parties have appeared before the court of Mr. Jaibir Singh, Judicial

Magistrate Ist Class, Malerkotla and as per report dated 22.02.2022 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 Judicial Magistrate Ist Class, Malerkotla accompanied by statements of both the parties, the Complaint dated 16.08.2013 titled as Janate Vs. Ashraf Khan & Ors. bearing COMI/10/2014 under Sections 452, 342, 307, 326, 323, 506, 148, 149, 34 IPC P.S. Ahmedgarh, District Sangrur and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 09, 2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No