

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

CRM-M-1519-2023

Date of Decision:-02.05.2023

Deepak Kumar @ Deepu & Anr.

.....Petitioners.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Rajesh Kapila, Advocate for the Petitioners.

Mr. Sanish Girdhar, Assistant Advocate General, Punjab.

Ms. Ramandeep Kaur, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.135 dated 23.12.2022 (Annexure P-1) under Sections 324, 34 IPC registered at P.S. Qadian, District Batala and all consequential proceedings arising therefrom on the basis of compromise dated 03.01.2023 (Annexure P-2) arrived at between the parties.

Vide order dated 12.01.2023 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 12.01.2023 with regard to the compromise dated 03.01.2023 (Annexure P-2).

In terms of the order dated 12.01.2023 passed by this Court parties have appeared before the court of Ms. Reeta Hans, Judicial Magistrate Ist Class, Batala and as per report dated 21.02.2023 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, Batala accompanied by statements of both the parties, the FIR No.135 dated 23.12.2022 (Annexure P-1) under Sections 324, 34 IPC registered at P.S. Qadian, District Batala and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 02, 2023
Vinay

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