

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-2685-2021

Date of decision: 28.03.2023

MANPREET SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Anshul Sharma, Advocate for
Mr. G.S. Madaan, Advocate
for the petitioners.

Mr. G.S. Shergill, AAG, Punjab.

Mr. Sumit Kalyan, Advocate for
Mr. APS Dhaliwal, Advocate
for respondent No. 2.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No. 282 dated 28.09.2019 under Section 379B(2) of IPC registered at Police Station Model Town, District Hoshiarpur, Punjab (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 06.03.2020 (Annexure P-2), effected between the parties.

Reply dated 28.03.2023 by way of an affidavit of Palwinder Singh, PPS, Deputy Superintendent of Police, Sub-Division City, District Hoshiarpur, on behalf of respondent No.1-State has been filed today in the Court and the same is taken on record. A copy thereof has been supplied to the counsel opposite.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

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During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report dated 08.04.2021 from the Chief Judicial Magistrate, Hoshiarpur has been received through the District & Sessions Judge, Hoshiarpur, with statements of the parties, in which, it has been mentioned that the compromise has been effected between them is voluntarily and without any pressure or coercion and out of his own sweet will.

The powers under Section 482 Cr.P.C. 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 and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Chief Judicial Magistrate, Hoshiarpur accompanied by statement of both the parties, the instant petition is allowed. Consequently, the FIR No. 282 dated 28.09.2019 under Section 379B(2) of IPC registered at Police Station Model Town, District Hoshiarpur, Punjab (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise 06.03.2020 (Annexure P-2), *qua* the petitioner only.

(GURBIR SINGH)
JUDGE

28.03.2023
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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No