

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-18885-2023 in
CRM-M-4770-2023 (O & M)
Date of decision: 27.04.2023

Satwinder Singh @ Sunny

..... Petitioner

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Saurav Bhatia, Advocate,
for the applicant-petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr.M.S. Dhami, Advocate,
for respondent No.2 (since deceased through LRs.).

JASJIT SINGH BEDI, J. (Oral)

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This is an application seeking advancement of next date of hearing i.e. 20.07.2023 fixed in the main case to some early date.

For the reasons mentioned in the application, the same is allowed and the next date of hearing fixed in the main case is advanced to today itself and the matter is taken up for hearing.

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The prayer in this petition is for quashing of FIR No.50 dated 10.05.2014 under Sections 279, 337, 338, 427 IPC registered at Police Station City, SBS Nagar, District Shaheed Bhagat Singh Nagar and all

consequential proceedings arising therefrom on the basis of compromise

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dated 17.01.2023 (Annexure P-3).

Vide orders dated 01.02.2023 and 13.02.2023 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 orders dated 01.02.2023 and 13.02.2023 with regard to the compromise (Annexure P-3).

In terms of the aforesaid orders passed by this Court parties i.e. petitioner as well as LR's of the deceased-complainant/respondent No.2 Ranjit Singh have appeared before the court of Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar except LR-Komal (daughter of the deceased complainant-Ranjit Singh) whose statement has been recorded through Video Conferencing. As per his report dated 21.02.2023 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

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& 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 Chief Judicial
Magistrate, Shaheed Bhagat Singh Nagar, accompanied by the joint
statement of both the parties, the FIR No. 50 dated 10.05.2014 under
Sections 279, 337, 338, 427 IPC registered at Police Station City, SBS
Nagar, District Shaheed Bhagat Singh Nagar and all subsequent proceedings
arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 27, 2023
sukhpreet

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