

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

CRM-M-6863-2021

Date of Decision:-25.07.2023

Gaurav Sharma.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Rajan Bhargav, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Karanjit Singh Gill, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.168 dated 23.11.2016 (Annexure P-1) under Sections 420 and 406 IPC registered with PS Model Town, Hoshiarpur and for setting aside the order dated 06.04.2018 whereby the petitioner was declared as a proclaimed offender on the basis of compromise arrived at between the parties.

Vide order dated 07.12.2022 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 07.12.2022 with regard to the compromise arrived at between them.

In terms of the order dated 07.12.2022 passed by this Court parties have appeared before the court of Mr. Gursher Singh, JMIC, Hoshiarpur and as per report dated 17.01.2023 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, Hoshiarpur accompanied by statements of both the parties, the FIR No.168 dated 23.11.2016 (Annexure P-1) under Sections 420 and 406 IPC registered with PS Model Town, Hoshiarpur and the order dated 06.04.2018 whereby the petitioner was declared as a proclaimed offender are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 25, 2023
Vinay

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