

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

245

CRM-M-6401of 2021
Date of Decision:18.04.2023.

Vikram Singh @ Kala Singh and others

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Kuldip Singh, Advocate
for the petitioners.

Mr. M. S. Nagra, AAG., Punjab.

Mr. Ashish Ravi, Advocate for
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in this petition is for quashing of FIR No.0052 dated 12.05.2020, registered under Sections 323, 148, 149, 427, 188 of the Indian Penal Code, 1860, at Police Station Khuian Sarwar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise deed dated 12.01.2021 (Annexure P-2) arrived at between the petitioner and respondent no.2.

2. Vide order dated 19.02.2021, a Coordinate Bench of this Court had directed the parties to appear before Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 12.01.2021 (Annexure P-2).

3. The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

4. Pursuant to the order dated 19.02.2021 passed by this Court, the

parties appeared before the learned Judicial Magistrate Ist Class, Abohar and as

per the report dated 03.03.2021 submitted to this Court, both the parties got their respective statements recorded in Court.

5. 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.P.C., can be exercised in such like situations 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 directions 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”***.

6. In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Abohar accompanied by statements of both the parties, the FIR No.0052 dated 12.05.2020, registered under Sections 323, 148, 149, 427, 188 of the Indian Penal Code, 1860, at Police Station Khuian Sarwar, District Fazilka (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise deed dated 12.01.2021 (Annexure P-2) along with all consequential proceedings arising therefrom is hereby quashed *qua* the petitioners.

The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

April 18th, 2023
Rekha

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