

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

CRM-M-5778-2020

Date of Decision : 13.04.2023

Amit and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present : Mr. S.K.Tripathi, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana
for respondent No.1-State.

None for respondent No.2.

VIKRAM AGGARWAL, J (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for quashing of an FIR No.16 dated 19.01.2018, registered under Sections 147, 148, 379-B IPC, at Police Station Chhainsa, District Faridabad along with all subsequent proceedings arising therefrom on the basis of a compromise dated 22.01.2020 (Annexure P-2) arrived at between the petitioners and respondent No.2.

Vide order dated 11.02.2020, a Coordinate Bench of this Court had directed the parties to appear before the trial Court/Illaq Magistrate for getting their statements recorded with regard to the compromise dated 22.01.2020 (Annexure P-2).

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

Pursuant to the order dated 11.02.2020 passed by this Court, the

parties have appeared before the Addl. District & Sessions Judge, Faridabad and as per the report dated 09.07.2020 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 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 Addl. District & Sessions Judge, Faridabad accompanied by statements of both the parties, the FIR No.16 dated 19.01.2018, registered under Sections 147, 148, 379-B IPC, at Police Station Chhainsa, District Faridabad along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

The present petition stands allowed accordingly.

(VIKRAM AGGARWAL)
JUDGE

13.04.2023
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No