

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

CRM-M-7660-2023(O&M)

Date of Decision:-02.05.2023

Pardeep Singh @ Billa.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Paras Talwar, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Rishabh, Advocate for

Ms. Harleen Ahluwalia, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

CRM-17671-2023

At the time of hearing learned counsel for the applicant/petitioner did not press the application.

Dismissed as not pressed.

CRM-M-7660-2023

The prayer in this petition is for quashing of FIR No.118 dated 19.06.2008 (Annexure P-1) under Sections 341, 427, 292, 506, 509, 148, 149 IPC registered at P.S. Goraya, District Jalandhar and all consequential proceedings arising therefrom on the basis of compromise dated 22.03.2022 (Annexure P-3) arrived at between the parties.

The main petition is already listed for hearing on 15.05.2023.

On the oral request of learned Counsel for the parties, the date of hearing of

the main petition is advanced from 15.05.2023 to today itself and is taken up for hearing.

Vide order dated 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 order dated 13.02.2023 with regard to the compromise dated 22.03.2022 (Annexure P-3).

In terms of the order dated 13.02.2023 passed by this Court parties have appeared before the court of Mr. Gurmehtab Singh, Judicial Magistrate Ist Class, Phillaur and as per report dated 18.03.2023 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, Phillaur accompanied by statements of both the parties, the FIR No.118 dated 19.06.2008 (Annexure P-1) under Sections 341, 427, 292, 506, 509, 148, 149 IPC registered at P.S. Goraya, District Jalandhar and all

consequential proceedings arising therefrom are hereby quashed.

As the FIR in question itself stands quashed, the passport of the petitioner deposited with the Trial Court shall be returned to the petitioner immediately against proper receipt and identification.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 02, 2023
Vinay

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