

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

**CRM-M-7313-2020
Date of Decision: 15.02.2023**

GULAB SINGH AND OTHERS

.... Petitioners

VERSUS

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr.Raghav Sharma, Advocate for the petitioner.

Mr.Gurbir S. Dhillon, AAG, Haryana.

GURBIR SINGH, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.153, dated 04.09.2019, under Sections 148, 149, 323, 452, 506, (Section 325, 326 added later) registered at Police Station Babain, Kurukshetra and all consequential proceedings arising therefrom, on the basis of compromise dated 12.02.2020 effected between the parties.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report from the Judicial Magistrate Ist Class, Shahbad has been received through the

District & Sessions Judge, Kurukshetra, with statements of the parties, in which, it has been mentioned that the compromise is genuine and valid and outcome of free consent of the parties and is without coercion from any quarter.

The powers under Section 482 Cr.P.C. 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 and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Shahbad, accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.153, dated 04.09.2019, under Sections 148, 149, 323, 452, 506, (Section 325, 326 added later) registered at Police Station Babain, Kurukshetra and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise dated 12.02.2020, qua the petitioners only.

(GURBIR SINGH)
JUDGE

15.02.2023
raman/pchawla

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