

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

**CRM-M-8060-2020
DECIDED ON: 01.06.2023**

JITENDER SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Ms. Gurnoor Sandhu, Advocate for
Mr. Lakhwinder Singh Mann, Advocate
for the petitioners.

Mr. Arun Kumar Gujjar, A.A.G., Haryana.

Mr. Vikram Singh Brar, Advocate
for respondent No.2.

1. The prayer in this petition is for quashing of FIR No.382 dated 19.08.2018 registered under Sections 420, 406, 120-B and 506 IPC at Police Station Butana, District Karnal including the order dated 25.05.2019 (Annexure P-2) vide which the petitioners had been declared as proclaimed persons and order dated 23.07.2019 (Annexure P-4) vide which the property of the petitioners was ordered to be attached along with all subsequent proceedings arising therefrom on the basis of a compromise dated 18.06.2019 (Annexure P-3) arrived at between the parties.

2. Reply by way of affidavit of Deputy Superintendent of Police, Indri, District Karnal on behalf of the State of Haryana is already on record. The Registry is directed to tag the same at appropriate place in the case file.

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3. Vide order dated 25.02.2020 a Coordinate Bench of this Court had directed the parties to appear before the Area Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 18.06.2019 (Annexure P-3).

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

5. Pursuant to the order dated 25.02.2020 passed by this Court, the parties appeared before the Judicial Magistrate Ist Class, Karnal and as per the report dated 17.03.2020 submitted to this Court, both the parties got their respective statements recorded in Court.

6. 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. 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”***.

In view of the aforesaid report of the Judicial Magistrate Ist Class, Karnal accompanied by statements of both the parties, the present petition is allowed and FIR No.382 dated 19.08.2018 registered under Sections 420, 406, 120-B and 506 IPC at Police Station Butana, District Karnal including the order dated 25.05.2019 (Annexure P-2) vide which the petitioners had been declared as proclaimed persons

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and order dated 23.07.2019 (Annexuer P-4) vide which the property of the petitioners were ordered to be attached along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

(VIKRAM AGGARWAL)
JUDGE

01.06.2023
Prince Chawla

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