

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

CRM-M-13031-2021

Date of Decision:-24.03.2023

Prince @ Inderbir Singh & Anr.

.....Petitioners.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Simranjot Singh Nagra, Advocate for the Petitioners.

Ms. Navreet Kaur Barnala, Assistant Advocate General, Punjab.

Mr. Laxman Chaudhary, Advocate for respondent no.2-
Complainant.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.148 dated 02.09.2020 (Annexure P-1) under Sections 452, 447, 506, 148, 149 IPC registered at Police Station Sadar, Gurdaspur, District Gurdaspur and all consequential proceedings arising therefrom on the basis of affidavit regarding settlement, dated 08.03.2021 (Annexure P-4) arrived at between the parties.

Vide order dated 22.03.2021 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 22.03.2021 with regard to the compromise dated 08.03.2021 (Annexure P-4).

In terms of the order dated 22.03.2021 passed by this Court parties have appeared before the court of Mr. Madan Lal, Additional Chief Judicial Magistrate, Gurdaspur and as per report dated 19.05.2021 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 Additional Chief Judicial Magistrate, Gurdaspur, accompanied by statements of both the parties, the FIR No.148 dated 02.09.2020 (Annexure P-1) under Sections 452, 447, 506, 148, 149 IPC registered at Police Station Sadar, Gurdaspur, District Gurdaspur and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 24, 2023

Vinay

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