

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

CRM-M-13941-2022

Date of Decision : 19.04.2023

Inderpal Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present : Mr. Narinder S.Lucky, Advocate for the petitioners.

Mr. M.S.Nagra, AAG, Punjab for respondent No.1-State.

Mr. Navjit Singh, Advocate for respondent No.2.

VIKRAM AGGARWAL, J (ORAL)

The prayer in this petition under Section 482 Cr.P.C. is for quashing of an FIR No.52 dated 19.02.2022, registered under Sections 323, 324, 341, 148, 149 and 506 IPC, at Police Station Goindwal Sahib, District Tarn Taran along with all subsequent proceedings arising therefrom on the basis of a compromise dated 26.02.2022 (Annexure P-2) arrived at between the petitioners and respondent No.2.

Vide order dated 23.05.2022, 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 26.02.2022 (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 23.05.2022 passed by a Coordinate Bench of this Court, the parties appeared before the Sub Divisional Judicial Magistrate, Khadur Sahib and as per the report dated 30.09.2022

submitted to this Court, both the parties have got their respective statements recorded 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 Sub Divisional Judicial Magistrate, Khadur Sahib accompanied by statements of both the parties, the FIR No.52 dated 19.02.2022, registered under Sections 323, 324, 341, 148, 149 and 506 IPC, at Police Station Goindwal Sahib, District Tarn Taran along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

The present petition stands allowed accordingly.

(VIKRAM AGGARWAL)
JUDGE

19.04.2023
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No