

2023:PHHC:060127

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

**CRM-M-13932-2022
Date of Decision : 27.04.2023**

Gurdial Singh and others	Versus	 Petitioners
State of Punjab and others		 Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present : Mr. Amit Arora, Advocate for the petitioners.

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

Ms. Meena, Advocate for Mr. Jagjeet Singh, Advocate
for respondents No.2 and 3.

VIKRAM AGGARWAL, J (ORAL)

1. Prayer in this petition under Section 482 Cr.P.C. is for quashing of FIR No.29 dated 21.05.2016, registered under Sections 326, 325, 323, 506, 148, 149 IPC at Police Station Sarhali, District Tarn Taran along with all subsequent proceedings arising therefrom on the basis of a compromise dated 10.11.2021 (Annexure P-2) arrived at between the petitioners and respondents No.2 and 3.

2. Vide order dated 02.04.2022, a Coordinate Bench of this Court had directed the parties to appear before the trial Court/Area Magistrate for getting their statements recorded with regard to the compromise dated 10.11.2021 (Annexure P-2).

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

4. Pursuant to the order dated 02.04.2022 passed by this Court, the parties appeared before the Judicial Magistrate Ist Class, Tarn Taran and as

per the report dated 12.05.2022 submitted to this Court, both the parties got their respective statements recorded in Court.

5. 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.PC 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 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*”.

6. In view of the aforesaid report of the Judicial Magistrate Ist Class, Tarn Taran accompanied by statements of both the parties, the FIR No.29 dated 21.05.2016, registered under Sections 326, 325, 323, 506, 148, 149 IPC at Police Station Sarhali, 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

27.04.2023
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No