

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

CRM-M-16161-2023(O&M)

Date of Decision:-02.05.2023

Tejinder Singh & Ors.

.....Petitioners.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Mohit Jaggi, Advocate for the Petitioners.

Mr. Sanish Girdhar, Assistant Advocate General, Punjab.

Mr. Kulbir Singh Rai, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of Cross Version recorded vide DDR No.073 dated 24.05.2022 registered under Sections 323, 324, 506, 148, 149 IPC (Section 325 IPC added later on) at police Station Kotwali, Patiala in case FIR No.96 dated 23.05.2022 under Sections 307, 379-B, 323, 324, 341, 506, 336, 34 IPC and Section 25 of Arms Act, 1959 registered at P.S. Kotwali, Patiala, District Patiala and all consequential proceedings arising therefrom on the basis of compromise dated 25.06.2022 (Annexure P-3) arrived at between the parties.

Vide order dated 10.04.2023 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 10.04.2023 with regard to the compromise dated 25.06.2022 (Annexure P-3).

In terms of the order dated 10.04.2023 passed by this Court parties have appeared before the court of Mr. Amit Malhan, Chief Judicial Magistrate Ist Class, Patiala and as per report dated 18.04.2023 submitted to this Court, both the parties have got recorded their respective statements 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 above, the present petition is allowed and Cross Version recorded vide DDR No.073 dated 24.05.2022 registered under Sections 323, 324, 506, 148, 149 IPC (Section 325 IPC added later on) at police Station Kotwali, Patiala in case FIR No.96 dated 23.05.2022 under Sections 307, 379-B, 323, 324, 341, 506, 336, 34 IPC and Section 25 of Arms Act, 1959 registered at P.S. Kotwali, Patiala, District Patiala all subsequent proceedings arising therefrom stand quashed qua the petitioner herein.

The Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 02, 2023
Vinay

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