IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-14820-2023

Date of Decision:-24.07.2023

Ajay Rana & Anr.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Khush Karan Goyal, Advocate for the Petitioners.

Mr Harkanwar Jeet Singh, AAG Punjab.

Mr. Saurav Bhatia, Advocate for respondent nos.2 & 3.

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JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of DDR No.30 dated 12.09.2022 under Sections 323, 325, 34 IPC P.S. Balachaur (Annexure P-1) in case FIR No.63 dated 05.09.2022 under Sections 323, 341, 148, 149, 506 IPC later on added offence under Section 325 IPC registered at P.S. Balachaur, District Shaheed Bhagat Singh Nagar and all consequential proceedings arising therefrom on the basis of compromise dated 03.02.2023 (Annexure P-2) arrived at between the parties.

Vide order dated 27.03.2023 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 27.03.2023 with regard to the compromise dated 03.02.2023 (Annexure P-2).

In terms of the order dated 27.03.2023 passed by this Court parties have appeared before the court of Dr. Seema Agnihotri, Judicial Magistrate Ist Class, Balachaur and as per report dated 01.05.2023 submitted to this Court, both the parties have got recorded their respective statements in Court.

VINAY MAHAJAN
2023.07.25 10:05
I attest to the accuracy and
authenticity of this order/judgment

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 Judicial Magistrate Ist Class, Balachaur accompanied by statements of both the parties, the DDR No.30 dated 12.09.2022 under Sections 323, 325, 34 IPC P.S. Balachaur (Annexure P-1) in case FIR No.63 dated 05.09.2022 under Sections 323, 341, 148, 149, 506 IPC later on added offence under Section 325 IPC registered at P.S. Balachaur, District Shaheed Bhagat Singh Nagar and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 24, 2023
Vinay

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

VINAY MAHAJAN
2023.07.25 10:05
I attest to the accuracy and
authenticity of this order/judgment