

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

CRM-M-18748-2022

Date of Decision:-21.03.2023

Ajay Batta & Ors.

.....Petitioners.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Saurabh Kaushik, Advocate for the Petitioners.

Ms. Navreet Kaur Barnala, AAG Punjab.

Mr. Yashpal Marken, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of complaint no.COMI/102/2017 dated 05.06.2015 (Anneuxre P-2) titled as Vijay Gupta Vs. Ajay Batta & Ors., filed by the complainant under Section 420, 447, 465, 467, 468, 471, 120-B IPC Police Station Kotwali, Nabha pending ion the Court of JMIC, Patiala and all all consequential proceedings arising therefrom on the basis of compromise dated 23.12.2019 (Annexure P-4) arrived at between the parties.

Vide order dated 06.05.2022 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 06.05.2022 with regard to the compromise dated 23.12.2019 (Annexure P-4).

In terms of the order dated 06.05.2022 passed by this Court parties have appeared before the court of Mr. Manjinder Singh, JMIC, Patiala and as per report dated 01.08.2022 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 Judicial Magistrate Ist Class, Patiala accompanied by statements of both the parties, the complaint no.COMI/102/2017 dated 05.06.2015 (Anneuxre P-2) titled as Vijay Gupta Vs. Ajay Batta & Ors., filed by the complainant under Section 420, 447, 465, 467, 468, 471, 120-B IPC Police Station Kotwali, Nabha pending in the Court of JMIC, Patiala and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 21, 2023

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>