

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-17448-2019 (O & M)****Date of decision: 22.02.2023**

Kuljeet Singh

... Petitioner

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr.Ranjit Singh, Advocate, for the petitioners.

Ms. Navreet Kaur Barnala, AAG, Punjab.

Ms. Manpreet Kaur, Advocate,
for Mr. G.S. Nahel, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of cross-case registered under Section 308 (first part) and 427 IPC as contained in Challan dated 08.11.2016 (Annexure P-1) in FIR No.139 dated 18.09.2016 under Sections 324, 341, 323, 506, 148 and 149 IPC at Police Station Dirba, District Sangrur (Annexure P-1/A) and all consequential and subsequent proceedings arising therefrom on the basis of compromise dated 30.03.2019 (Annexure P-2).

Vide order dated 02.05.2019 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 02.05.2019 with regard to the compromise (Annexures P-2).

In terms of the orders dated 02.05.2019 passed by this Court,

the parties have appeared before the court of Additional Sessions Judge,

Sangrur as per the report dated 18.05.2019 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 aforesaid report of the Additional Sessions Judge, Sangrur accompanied by the joint statement of both the parties, the present cross-case registered under Section 308 (first part) and 427 IPC as contained in Challan dated 08.11.2016 (Annexure P-1) in FIR No.139 dated 18.09.2016 under Sections 324, 341, 323, 506, 148 and 149 IPC at Police Station Dirba, District Sangrur (Annexure P-1/A) and all consequential and subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

February 22, 2023
Sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No