

CRM-M- 20683 of 2021 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20683 of 2021 (O & M)

Date of decision: 18.08.2023

Sanju Ram @ Gulela and anr.

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vivek Singla, Advocate,
for the petitioner(s).

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Deepanshu Sodhi, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No. 0094 dated 27.06.2019 under Sections 324, 34 IPC registered at Police Station Jaito, District Faridkot and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 17.10.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 29.11.2021 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 29.11.2021 with regard to the compromise (Annexures P-2).

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In terms of the order dated 29.11.2021 passed by this Court parties have appeared before the court of Sub Divisional Judicial Magistrate, Jaitu and as per the report dated 23.12.2021 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 Sub Divisional Judicial Magistrate, Jaitu, , accompanied by the joint statement of both the parties, the present FIR No. 0094 dated 27.06.2019 under Sections 324, 34 IPC registered at Police Station Jaito, District Faridkot and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 18, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No