

2023:PHHC:076524

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-16537-2019
Date of Decision : 25.05.2023
..... Petitioner

Mohit Thapa

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present : Mr. Dhruv Gupta, Advocate
for the petitioner.

Mr. Arun Kumar Gujjar, AAG, Haryana
for respondent No.1-State.

Mr. Prince Pushinder Rana, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.595 dated 08.12.2018, registered under Sections 148, 149, 323, 325, 379-B, 427, 506 IPC (Section 379-B IPC deleted lateron), at Police Station Sector 5, District Panchkula along with all subsequent proceedings arising therefrom on the basis of a compromise dated 26.03.2019 (Annexure P-2) arrived at between the petitioner and respondent No.2.

2. Vide order dated 10.04.2019, a Coordinate Bench of this Court had directed the parties to appear before the trial Court/Area Magistrate for getting their statements recorded with regard to the compromise dated 26.03.2019 (Annexure P-2).

3. The trial Court/Area Magistrate was to submit a report in this

regard giving certain details as enumerated in the said order.

4. Pursuant to the order dated 10.04.2019 passed by a Coordinate Bench of this Court, the parties appeared before the Chief Judicial Magistrate, Panchkula and as per the report dated 31.05.2019 submitted to this Court, both the parties got their respective statements recorded in Court.

5. 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. The powers under Section 482 Cr.PC can be exercised in such like situations 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*”.

6. In view of the aforesaid report of the Chief Judicial Magistrate, Panchkula accompanied by statements of both the parties, the present petition is allowed and the FIR No.595 dated 08.12.2018, registered under Sections 148, 149, 323, 325, 379-B, 427, 506 IPC (Section 379-B IPC deleted lateron), at Police Station Sector 5, District Panchkula along with all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

(VIKRAM AGGARWAL)

JUDGE

25.05.2023

mamta

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No