

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Case No. : CRM-M-25471-2021 (O&M)

Date of decision: 01.03.2023

SANJEEV BHATIA AND ANR

...Petitioner(s)

VS

STATE OF HARYANA AND ANR

...Respondent(s)

Case No. : CRM-M-35377-2021 (O&M)

Date of decision: 01.03.2023

GURMEET KAUR AND ANR

...Petitioner(s)

VS

STATE OF HARYANA AND ANR

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Suvir Kumar, Advocate
for the petitioners.

Mr. R.S. Nain, DAG, Haryana.

Mr. R.K. Jaswal, Advocate
for respondent No.2.

GURBIR SINGH, J. (ORAL)

Vide this common judgment, two petitions i.e. CRM-M-25471-2021 and CRM-M-35377-2021 shall be disposed of. Both the petitions have been filed for quashing FIR No.343, dated 06.11.2020, under Sections 120-B, 406, 420 of IPC registered at Police Station Pinjore District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 18.05.2021 and 25.05.2021 (Annexure P-2 and P-3) in **CRM-M-25471-2021** and dated 12.08.2021 (Annexure P-2) in **CRM-M-35377-2021** effected between the parties.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was

directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report dated 11.07.2022 from the Sub-Divisional Judicial Magistrate Kalka has been received through the District & Sessions Judge, Panchkula, with statements of the parties, in which, it has been mentioned that the compromise is voluntary and without any pressure or undue influence from any side.

The powers under Section 482 Cr.P.C. 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 and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Sub-Divisional Judicial Magistrate, Kalka accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.343, dated 06.11.2020, under Sections 120-B, 406, 420 of IPC registered at Police Station Pinjore District Panchkula (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 18.05.2021 and 25.05.2021 (Annexure P-2 and P-3) in **CRM-M-25471-2021 and dated 12.08.2021 (Annexure P-2) in CRM-M-35377-2021 (Annexure P-2) qua the petitioners only.**

(GURBIR SINGH)
JUDGE

01.03.2023

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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No