

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-19153-2023****Date of decision :11.09.2023****PARVEEN AND OTHERS****... Petitioner(s)****Versus****STATE OF HARYANA AND ANOTHER****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI****Present:** Mr. Sushil Sheoran, Advocate
for the petitioner(s).Mr. Neeraj Poswal, Asst. A.G., Haryana
for respondent No.1.Mr. N.S. Diwana, Advocate for
Mr. Sushil Saini, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.148 dated 05.07.2021 (Annexure P-1) registered under Sections 323, 365, 506, 34 and 120-B IPC and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Badhra, District Charkhi Dadri along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the petitioner and respondent no.2.

Vide order dated 26.07.2023 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 05.04.2023 (P-2).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 26.07.2023 passed by this Court, the parties have appeared before the learned Additional Sessions Judge, Charkhi Dadri and as per the report dated 21.08.2023 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, Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543”** and **Ramgopal & Another Versus State of Madhya Pradesh, 2021(4) R.C.R. (Criminal) 322.**

In view of the aforesaid report of the learned Additional Sessions Judge, Charkhi Dadri accompanied by statements of both the parties, the FIR No.148 dated 05.07.2021 (Annexure P-1) registered under Sections 323, 365, 506, 34 and 120-B IPC and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Badhra, District Charkhi Dadri along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

11.09.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No