

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-19408-2023(O&M)

Date of Decision:-18.05.2023

Vinod Kumar & Anr.

.....Petitioners.

Vs.

State of Haryana & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Prateek Gupta, Advocate for the Petitioners.

Mr. Kanwar Sanjiv Kumar, Assistant Advocate General,
Haryana.

Mr. Arun Sharma, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.0147 dated 28.08.2019 (Annexure P-1) under Sections 406, 420, 468, 471 and 120-B IPC registered at P.S. Ismailabad, District Kurukshetra and all consequential proceedings arising therefrom on the basis of Deed of Family Settlement dated 30.03.2023 (Annexure P-4) arrived at between the parties.

Vide order dated 21.04.2023 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 21.04.2023 with regard to the compromise dated 30.03.2023 (Annexure P-4).

In terms of the order dated 21.04.2023 passed by this Court parties have appeared before the court of Mr. Amit Sheoran, Judicial Magistrate Ist Class, Pehowa and as per report dated 10.05.2023 submitted

to this Court, both the parties have got recorded their respective statements in Court.

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 learned Judicial Magistrate Ist Class, Pehowa accompanied by statements of both the parties, the FIR No.0147 dated 28.08.2019 (Annexure P-1) under Sections 406, 420, 468, 471 and 120-B IPC registered at P.S. Ismailabad, District Kurukshetra and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 18, 2023
Vinay

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