

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

CRM-M-20699-2023

Date of Decision : December 11, 2023

Rajan Singh @ Raja Singh and others

.....Petitioners

Versus

State of Punjab & others

.....Respondents

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

Present:- Mr. Malkiat S. Hundal, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Mohan S. Chauhan, Advocate for
Mr. Jagjeet Singh, Advocate for
for the respondents No.3 and 4.

JASJIT SINGH BEDI, J. (ORAL)

The petition under Section 482 Cr.P.C. has been filed for quashing of FIR No.61 dated 25.05.2019 under Sections 452, 323, 506, 148, 149 IPC, registered at Police Station Sadar Batala, District Gurdaspur and all other consequential proceedings arising therefrom, on the basis of compromise dated 07.10.2019 (Annexure P-2/T) and new compromise dated 14.02.2023 (Annexure P-4/T) entered into between the parties.

Vide order dated 27.04.2023, 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 27.04.2023 with regard to the compromise dated 07.10.2019 (Annexure P-2/T) and compromise dated 14.02.2023 (Annexure P-4/T).

In terms of the order dated 27.04.2023 passed by this Court

parties have appeared before the court of Shri Mandeep Singh, Judicial Magistrate 1st Class, Batala and as per report dated 04.09.2023 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 1st Class, Batala, accompanied by statements of the parties, FIR No.61 dated 25.05.2019 under Sections 452, 323, 506, 148, 149 IPC, registered at Police Station Sadar Batala, District Gurdaspur and all other consequential proceedings arising therefrom, on the basis of compromise dated 07.10.2019 (Annexure P-2/T) and new compromise dated 14.02.2023 (Annexure P-4/T) entered into between the parties, are, hereby, quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 11, 2023

satish

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No