

2023:PHHC:060100

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22248-2022
Date of Decision : 27.04.2023

Lalit Singla Petitioner
Versus
U.T., Chandigarh and others Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present : Mr. P.P.S.Thethi, Advocate for the petitioner.

Ms. Vasundhra Dalal Anand, APP, UT, Chandigarh
for respondent No.1-UT, Chandigarh.

Mr. Avichal Sharma, Advocate for Mr. Rajiv Malhotra, Advocate
for respondents No.2 and 3.

VIKRAM AGGARWAL, J (ORAL)

1. Prayer in this petition under Section 482 Cr.P.C. is for quashing of FIR No.0128 dated 13.09.2021, registered under Section 406, 420 IPC, at Police Station Sector 31, Chandigarh along with all subsequent proceedings arising therefrom on the basis of a compromise dated 05.10.2021 (Annexure P-2) arrived at between the petitioner and respondents No.2 and 3.

2. Vide orders dated 23.05.2022 and 22.11.2022, 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 05.10.2021 (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 orders dated 23.05.2022 and 22.11.2022 passed by this Court, the parties appeared before the Judicial Magistrate Ist Class, Chandigarh and as per the report dated 03.04.2023 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 Judicial Magistrate Ist Class, Chandigarh accompanied by statements of both the parties, the FIR No.0128 dated 13.09.2021, registered under Section 406, 420 IPC, at Police Station Sector 31, Chandigarh along with all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

The present petition stands allowed accordingly.

(VIKRAM AGGARWAL)
JUDGE

27.04.2023

mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No