

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of decision: 30.11.2023

(1) CRM-M-21686-2023 (O& M)

Ramanjot Kaur

.... Petitioner

V/s

State of Punjab and ors.

...Respondents

(2) CRM-M-44605-2019 (O& M)

Durga Dass and ors.

.... Petitioners

V/s

State of Punjab and anr.

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jasdev Singh Kailey, Advocate,
for Mr. J.S. Dadwal, Advocate,
for the petitioner(s) in both the petitions.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Sanjiv Kumr, Advocate,
for respondent No.2 (in CRM-M-44605-2019)
and for respondents No.2 and 3 (in CRM-M-21686-2023).

JASJIT SINGH BEDI, J. (Oral)

This order shall dispose of two criminal miscellaneous petitions
i.e. CRM-M-21686-2023 and CRM-M-44605-2019 as they arise out of the
same FIR.

2. The prayer in the aforementioned petitions is for quashing of
FIR No.0093 dated 13.07.2019 under Sections 323, 452, 506, 148 and 149
IPC registered at Police Station Meharban, District Ludhiana, Punjab and all

subsequent proceedings arising therefrom on the basis of compromise dated 21.04.2023 (Annexure P-2 in CRM-M-21686-2023) and compromise dated 03.10.2019 (Annexure P-2 in CRM-M-44605-2019).

Vide order dated 02.05.2023 (in CRM-M-21686-2023) and order dated 18.10.2019 (in CRM-M-44605-2019), 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 orders with regard to the compromise (Annexures P-2).

In terms of the orders dated 02.05.2023 and 18.10.2019 passed by this Court, the parties have appeared before the court of Judicial Magistrate Ist Class, Ludhiana and as per the report dated 06.12.2019 (in CRM-M-44605-2019) and the report dated 09.06.2023 (in CRM-M-21686-2023) submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid reports 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 reports of the Judicial Magistrate Ist Class, Ludhiana, accompanied by the joint statement of both the parties, the present 0093 dated 13.07.2019 under Sections 323, 452, 506, 148 and 149 IPC registered at Police Station Meharban, District Ludhiana, Punjab, and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners in both the petitions.

Both the petitions stand disposed of.

(JASJIT SINGH BEDI)

JUDGE

November 30, 2023

sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No