

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

CRM-M-26077-2021

Date of Decision:-06.09.2023

Kulwinder Singh & Ors.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Anil Kumar Garg, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, Assistant Advocate General,
Punjab.

Mr. Kushagra Mahajan, Advocate for respondent no.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of DDR No.19 dated 27.07.2019 under Sections 326, 323, 324, 148, 149 IPC P.S. Lopoke, District Amritsar Rural in case FIR No.121 dated 21.05.2019 under Sections 323, 324, 341, 148, 149 IPC and Section 307 added later on registered at Police Station Lopoke, District Amritsar Rural and all consequential proceedings arising therefrom on the basis of compromise dated 31.12.2019 (Annexure P-2) arrived at between the parties.

Vide order dated 19.07.2021 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 19.07.2021 with regard to the compromise dated 31.12.2019 (Annexure P-2).

In terms of the order dated 19.07.2021 passed by this Court parties have appeared before the court of Mr. Ankit Airi, Judicial Magistrate Ist Class, Ajnala and as per report dated 03.11.2021 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, Abohar accompanied by statements of both the parties, the DDR No.19 dated 27.07.2019 under Sections 326, 323, 324, 148, 149 IPC P.S. Lopoke, District Amritsar Rural in case FIR No.121 dated 21.05.2019 under Sections 323, 324, 341, 148, 149 IPC and Section 307 added later on registered at Police Station Lopoke, District Amritsar Rural and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 06, 2023

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