

CRM-M-27010 of 2023 (O & M)

::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-27010-2023 (O & M)

Date of decision: 13.12.2023

Amrinder Singh

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Abhishek Singla, Advocate, for the petitioner(s).

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Ms. Tanya Sehgal, Advocate, for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No.130 dated 11.07.2021 under Sections 323, 341 and 506 IPC registered at Police Station Phase-1, Mohali and all subsequent proceedings arising therefrom on the basis of compromise dated 25.08.2022 (Annexure P-2).

Vide orders dated 26.05.2023 and 16.08.2023, 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 orders with regard to the compromise (Annexures P-2).

In terms of the orders dated 26.05.2023 and 16.08.2023 passed by this Court parties have appeared before the court of the Chief Judicial Magistrate-cum-Addl.Civil Judge (Senior Division), SAS Nagar, Mohali, and as per the report dated 21.10.2023 submitted to this Court, both the parties (including petitioner/accused-Amrinder Singh through his Power

CRM-M-27010 of 2023 (O & M)

::2::

of Attorney Sh. Abhishek Singla, Advocate), have got recorded their respective statements in Court.

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. 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 Chief Judicial Magistrate-cum-Addl. Civil Judge (Senior Division), SAS Nagar, accompanied by the joint statement of both the parties, the present FIR No.130 dated 11.07.2021 under Sections 323, 341 and 506 IPC registered at Police Station Phase-1, Mohali and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

December 13, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No