

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

(244)

CRM-M-27619-2021

Date of Decision: 24.04.2023

CHOOOR SINGH @ CHUHAR SINGH AND OTHERS**...Petitioners****VS****STATE OF PUNJAB AND ANOTHER****...Respondents****CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr.Ashdeep Singh, Advocate
for the petitioners.

Mr. M.S.Nagra, AAG, Punjab.

Mr. Mikhail Kad, Advocate
for Mr. Jagjit Singh Chatrath, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J (ORAL)

1. The prayer in this petition is for quashing of FIR No.0104 dated 17.06.2021, under Sections 436, 427, 380, 457, 148 and 149 IPC registered at Police Station Sadar Hoshiarpur, District Hoshiarpur along with all subsequent proceedings arising therefrom on the basis of a compromise dated 27.06.2021 (Annexure P-2) arrived at between the petitioners and respondents No.2.

2. Learned counsel for the petitioners has placed on record a copy of the order dated 09.12.2022, passed by a Co-ordinate Bench in CRM-M-33711-2021 vide which the impugned FIR with regard to other two co-accused namely Kamaljit Singh and Gurpreet Singh already stands quashed.

3. Vide order dated 20.07.2021, a Coordinate Bench of this Court had directed the parties to appear before Illaqa Magistrate/Duty Magistrate concerned on 09.08.2021 for getting their statements recorded with regard to the compromise dated 27.06.2021 (Annexure P-2).

4. The Illaqa Magistrate/Duty Magistrate was to submit a report in this regard giving certain details as enumerated in the said order.

5. Pursuant to the order dated 20.07.2021 passed by this Court, the parties appeared before the learned Addl. Chief Judicial Magistrate, Hoshiarpur and as per the report dated 12.08.2021 submitted to this Court, both the parties got their respective statements recorded in Court.

6. 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.P.C 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 directions 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”***.

7. In view of the aforesaid report of the learned Addl. Chief Judicial Magistrate, Hoshiarpur accompanied by statements of both the parties FIR No. 0104 dated 17.06.2021, under Sections 436, 427, 380, 457, 148

and 149 IPC registered at Police Station Sadar Hoshiarpur, District Hoshiarpur along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

8. The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

24.04.2023
mamta

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