

CRM-M-29490-2021

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

**CRM-M-29490-2021
DECIDED ON: 31.05.2023**

NANCY

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Arunjeet Singh Kakkar, Advocate for
 Mr. Piyush Aggarwal, Advocate
 for the petitioner.

Mr. Dhruv Dayal, Addl. A.G., Punjab.

Mr. K.S. Lakhanpal, Advocate for
Ms. Sheena Khanna, Advocate
for respondent No.2/complainant.

1. The prayer in this petition is for quashing of FIR No.70 dated 18.04.2021 registered under Section 420 of IPC at Police Station City Malout, District Sri Muktsar Sahib along with all subsequent proceedings arising therefrom on the basis of a compromise dated 09.07.2021 arrived at between the parties.

2. Vide order dated 05.05.2022 a Coordinate Bench of this Court had directed the parties to appear before the Area Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 09.07.2021

3. The Area Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

4. Pursuant to the order dated 05.05.2022 passed by this Court, the parties appeared before the Sub-Divisional Judicial Magistrate, Malout and as per the report dated 12.09.2022 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.P.C 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 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”***.

In view of the aforesaid report of the Sub-Divisional Judicial Magistrate, Malout accompanied by statements of both the parties, the present petition is allowed and FIR No.70 dated 18.04.2021 registered under Section 420 of IPC at Police Station City Malout, District Sri Muktsar Sahib along with all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

(VIKRAM AGGARWAL)
JUDGE

31.05.2023
Prince Chawla

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