

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29993 of 2022

Date of Decision: 09.05.2023.

Amarpreet Singh and others

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Shakinderpal Singh Chakkal, Advocate
for the petitioners.

Mr. M.S. Nagra, A.A.G., Punjab.

Mr. Simranjeet Singh Sarwara, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in this petition is for quashing of FIR No.0038 dated 19.04.2021, under Sections 452, 323, 506, 34 of the Indian Penal Code, 1860 (for short 'the IPC'), registered at Police Station Sadar Ahmedgarh District Sangrur (now Malerkotla) (Annexure P-1), along with all subsequent proceedings arising therefrom on the basis of a compromise/affidavit dated 03.03.2022 (Annexure P-2) arrived at between the petitioners and respondent no.2.

2. It has been stated by learned counsel for the petitioners that the present petition has no concern with CRM-M-29691 of 2022 and CRM-M-29306 of 2022 as the FIR in those cases is different.

3. Vide order dated 15.07.2022, 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/affidavit dated

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

5. Pursuant to the order dated 15.07.2022 passed by this Court, the parties appeared before the Judicial Magistrate Ist Class, Malerkotla and as per the report dated 13.09.2022 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. 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 Judicial Magistrate Ist Class, Malerkotla, accompanied by statements of both the parties, the present petition is allowed and FIR No.0038 dated 19.04.2021, under Sections 452, 323, 506, 34 IPC, registered at Police Station Sadar Ahmedgarh District Sangrur (now Malerkotla) (Annexure P-1), along with all consequential proceedings arising therefrom is hereby quashed *qua* the petitioners.

May 09th, 2023
 Rekha

(VIKRAM AGGARWAL)
JUDGE

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