

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

**CRM-M-30386 of 2021
Date of Decision: 09.02.2023**

ABHINAV KUMAR ALIAS LOVELY **.... Petitioner**

versus

STATE OF HARYANA AND ANOTHER **.... Respondents**

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Rakshak Gupta, Advocate
for the petitioner.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Ms. Deepali Gupta, Advocate for
Ms. Rosi, Advocate
for the respondent No.2.

GURBIR SINGH, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of an FIR No.95, dated 18.05.2021 under Sections 380 of IPC, registered at Police Station Julana, District Jind and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 15.07.2021 effected between the parties.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report from the Judicial Magistrate, Ist Class, Jind has been received through the District & Sessions Judge, Jind, with statements of the parties, in which, it has been mentioned that the compromise is genuine and valid and outcome of free consent of the parties and is without coercion from any quarter.

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 direction issued by the Court in “**Kulwinder Singh and others vs. State of Punjab and another**”, **(3) RCR (Criminal) 1052** and “**Gian Singh vs. State of Punjab and another**”, **2012 (4) RCR (Criminal) 543**.

In view of the aforesaid report of the learned Judicial Magistrate Ist Class Jind accompanied by statement of both the parties, the instant petition is allowed. Consequently, the FIR No.95, dated 18.05.2021 under Sections 380 of IPC, registered at Police Station Julana, District Jind and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 15.07.2021, qua the petitioner only.

09.02.2023

Raman

**(GURBIR SINGH)
JUDGE**

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