

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-27606-2023

Date of Decision:-15.09.2023

Malkiat Singh & Ors.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Karanjeet Singh Brar, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, Assistant Advocate General, Punjab.

Mr. Iqbaldeep Singh, Advocate for

Mr. Rajat Dogra, Advocate for respondent nos.2 to 5.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.107 dated 22.05.2016 under Sections 323, 325, 341, 427, 506,148, 149 IPC registered at P.S. City Ferozepur, District Ferozepur and all consequential proceedings arising therefrom on the basis of compromise dated 06.05.2023 (Annexure P-2) arrived at between the parties.

Vide order dated 31.05.2023 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 order dated 31.05.2023 with regard to the compromise dated 06.05.2023 (Annexure P-2).

In terms of the order dated 31.05.2023 passed by this Court parties have appeared before the court of Mr. Ashok Kumar Chauhan, Chief Judicial Magistrate, Ferozepur and as per report dated 06.09.2023 submitted

to this Court, both the parties have got recorded their respective statements in Court.

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 learned Chief Judicial Magistrate, Ferozepur accompanied by statements of both the parties, the FIR No.107 dated 22.05.2016 under Sections 323, 325, 341, 427, 506,148, 149 IPC registered at P.S. City Ferozepur, District Ferozepur and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 15, 2023

Vinay

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