

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

205

CRM-M-30576 of 2022
Date of Decision:26.04.2023.

Gurmail Singh and others

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

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

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

Ms. Sushma Chopra, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in this petition is for quashing of complaint under Section 452/323/324/294/506/148/149 of the Indian Penal Code, 1860 (for short the 'IPC') (COMI/42/2019) dated 30.08.2019 titled as Gurpartap Singh Vs. Gurmail Singh pending before the learned SDJM, Jagraon (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 26.05.2022 (Annexure P-2) arrived at between the petitioner and respondent no.2.
2. Vide order dated 18.07.2022, a Coordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 26.05.2022 (Annexure P-2).
3. The Illaqa Magistrate was to submit a report in this regard giving certain details as enumerated in the said order.
4. Pursuant to the order dated 18.07.2022 passed by this Court, the

and as per the report dated 17.08.2022 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”***.

6. In view of the aforesaid report of the learned Sub Divisional Judicial Magistrate, Jagraon accompanied by statements of both the parties, the complaint under Section 452/323/324/294/506/148/149 IPC (COMI/42/2019) dated 30.08.2019 titled as Gurpartap Singh Vs. Gurmail Singh pending before the learned SDJM, Jagraon (Annexure P-1) along with all consequential proceedings arising therefrom is hereby quashed *qua* the petitioners.

The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

April 26th, 2023
Rekha

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