

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

Date of Decision:-18.01.2023

CRM-M-31299-2022

Amanjot Kaur @ Jyoti & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

AND

CRM-M-44500-2022

Harjashanpreet Kaur.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Shekar Kumar, Advocate for the Petitioners
(in both the cases).

Mr. Aman Dhir, Deputy Advocate General, Punjab.

Mr. Mohan Singh Chauhan, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

By this common order I shall dispose of both the aforesaid petitions as the same have arisen out of one and the same FIR.

The present petition has been filed for quashing of FIR No.11 dated 01.02.2021 (Annexure P-1) under Sections 420 and 120-B IPC registered with Police Station Badhni Kalan, District Moga and all other consequential proceedings arising therefrom, on the basis of compromise dated 05.02.2021 (Annexure P-2) entered into between the parties.

Vide orders dated 21.07.2022 and 27.09.2022 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 08.09.2022 with regard to the compromise dated 05.02.2021 (Annexure P-2) arrived at between the parties.

In terms of the orders dated 21.07.2022 and 27.09.2022 passed by this Court parties have appeared before the court of Mr. Ashish Thatai, Sub Divisional Judicial Magistrate, Nihal Singh Wala and as per reports dated 25.08.2022 and 23.12.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

Perusal of the aforesaid reports 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 Sub Divisional Judicial Magistrate, Nihal Singh Wala accompanied by statements of both the parties, the FIR No.11 dated 01.02.2021 (Annexure P-1) under Sections 420 and 120-B IPC registered with Police Station Badhni Kalan, District Moga and all consequential proceedings arising therefrom are hereby quashed qua the petitioners in both the petitions.

Petitions stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 18, 2023
Vinay

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