

CRM-M-31879-2022

Date of Decision: 30.01.2023

PARMINDER SINGH AND ANOTHER

.... Petitioners

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

**Present:** Mr. Sartaj Singh Thakur, Advocate for  
Mr. T.P.S. Tung, Advocate  
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Sachin Kalia, Advocate  
for the respondent No.4.

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**GURBIR SINGH, J (ORAL)**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.14, dated 19.01.2022, under Sections 406, 420, 120-B IPC (which is pending investigation) registered at Police Station City Kharar, District S.A.S. Nagar along with all the consequential proceedings arising therefrom, on the basis of compromise dated 17.07.2022 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 Sub-Divisional Judicial Magistrate, Kharar has been received through District and Sessions Judge, SAS Nagar, Mohali, with statements of parties, in which, it has been mentioned that

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”, 2007(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 Sub-Divisional Judicial Magistrate, Kharar accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.14, dated 19.01.2022, under Sections 406, 420, 120-B IPC (which is pending investigation) registered at Police Station City Kharar, District S.A.S. Nagar and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise dated 17.07.2022, qua the petitioners only.

30.01.2023

pchawla

(GURBIR SINGH)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No