

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

236-2

CRM-M-32121-2022

Date of Decision: 29.09.2023

Harvinder Singh and another

....Petitioners

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vijay Kumar Aggarwal, Advocate, and
Mr. Sumit Kalyana, Advocate, for the petitioners.

Mr. Harkanwar Jit Singh, AAG, Punjab.

Mr. Sourabh, Advocate, for the complainant/respondent No.2

JASJIT SINGH BEDI, J. (Oral)

1. The prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.126, dated 25.11.2013 registered under Sections 406, 420 IPC at Police Station Raikot, District Ludhiana (Rural) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.04.2022 (Annexure P-2).

Vide order dated 27.07.2022, 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 with regard to the compromise (Annexures P-2).

In terms of the orders dated 27.07.2022 and 15.11.2022 passed by this Court respondent Nos.2 and 3 have appeared before the Court of Sub-Divisional Judicial Magistrate, Jagraon and petitioner Nos.1 and 2 got recorded their statement through video conferencing and as per the

report dated 03.05.2023 submitted to this Court, both the parties have got recorded their respective statements in Court.

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. 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 Sub-Divisional Judicial Magistrate, Jagraon, accompanied by the joint statement of both the parties, the present FIR No.126, dated 25.11.2013 registered under Sections 406, 420 IPC at Police Station Raikot, District Ludhiana (Rural) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

September 29, 2023
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(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No