

**222-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-36523-2021
DECIDED ON: 31.05.2023

ASHVINDER SINGH @ HARRY AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Sanjeev Kumar, Advocate
for the petitioners.

Mr. Dhruv Dayal, Addl. A.G., Punjab.

Mr. Gurinderjit Singh, Advocate
for respondent No.2.

1. The prayer in this petition is for quashing of DDR No.26 dated 20.05.2020 registered under Sections 323, 506, 294 and 34 of Indian Penal Code at Police Station Derabassi, District SAS Nagar (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 07.04.2021 (Annexure P-2) arrived at between the parties.
2. Vide order dated 08.09.2021 a Coordinate Bench of this Court had directed the parties to appear before the Area Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 07.04.2021.
3. The Area Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

4. Pursuant to the order dated 08.09.2021 passed by this Court, the parties appeared before the Sub-Divisional Judicial Magistrate, Dera Bassi and as per the report dated 19.10.2021 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”***.

In view of the aforesaid report of the Sub-Divisional Judicial Magistrate, Dera Bassi accompanied by statements of both the parties, the present petition is allowed and DDR No.26 dated 20.05.2020 registered under Sections 323, 506, 294 and 34 of Indian Penal Code at Police Station Derabassi, District SAS Nagar along with all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

(VIKRAM AGGARWAL)
JUDGE

31.05.2023
Prince Chawla

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