

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

CRM-M-33186-2022

Date of Decision:-11.04.2023

Nirmala Devi & Ors.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. G.S. Sandhu, Advocate for
Mr. A.P. Kaushal, Advocate for the Petitioners.

Ms. Navreet Kaur Barnala, Assistant Advocate General, Punjab.

Mr. Praagbir Singh Dhindsa, Advocate for
the respondent nos.2 to 4.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of DDR No.26 dated 21.11.2014 under Sections 323, 324, 34 IPC P.S. Mukerian in case FIR No.34 dated 26.03.2014 under Sections 323, 452, 148, 149 IPC registered at P.S. Mukerian, District Hoshiarpur and all consequential proceedings arising therefrom on the basis of compromise dated 04.01.2020 (Annexure P-3) arrived at between the parties.

Vide order dated 23.11.2022 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 23.11.2022 with regard to the compromise dated 04.01.2020 (Annexure P-3).

In terms of the order dated 23.11.2022 passed by this Court parties have appeared before the court of Mr. Amardeep Singh Bains, Sub Divisional Judicial Magistrate, Mukerian and as per report dated 08.12.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

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 learned Sub Divisional Judicial Magistrate, Mukerian accompanied by statements of both the parties, the DDR No.26 dated 21.11.2014 under Sections 323, 324, 34 IPC P.S. Mukerian in case FIR No.34 dated 26.03.2014 under Sections 323, 452, 148, 149 IPC registered at P.S. Mukerian, District Hoshiarpur and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 11, 2023
Vinay

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