

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

CRM-M-34626-2022(O&M)

Date of Decision:-01.05.2023

Dharmendra Singh & Ors.

.....Petitioners.

Vs.

State of Haryana & Ors.

.....Respondents.

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

Present:- Mr. Ashwani Bhardwaj, Advocate for the Petitioners.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Yogesh Jangra, Advocate for

Mr. Lokesh Sharma, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.120 dated 11.05.2021 (Annexure P-1) under Sections 406 & 420 IPC registered at P.S. Civil Lines, Rohtak and all consequential proceedings arising therefrom on the basis of compromise dated 14.04.2022 (Annexure P-2) arrived at between the parties.

Vide order dated 10.01.2023 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 10.01.2023 with regard to the compromise dated 14.04.2022 (Annexure P-2).

In terms of the order dated 10.01.2023 passed by this Court parties have appeared before the court of Ms. Deepti, Chief Judicial

Magistrate, Rohtak and as per report dated 01.02.2023 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 Chief Judicial Magistrate, Rohtak accompanied by statements of both the parties, the FIR No.120 dated 11.05.2021 (Annexure P-1) under Sections 406 & 420 IPC registered at P.S. Civil Lines, Rohtak and all consequential proceedings arising therefrom are hereby quashed qua the petitioners only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 01, 2023

Vinay

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