

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

236

CRM-M 36773 of 2022

Date of Decision: 10.02.2023

Gobind @ Gobinda and Ors.

.....*Petitioners*

Versus

State of Punjab and Ors.

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Rhythem Bajaj, Advocate for
Mr. KS Brar, Advocate for the petitioners.
Mr. G.S. Shergill, AAG Punjab.
Mr. Mr. Rajat Dogra, Advocate for
Ms. Tanisha, Advocate for respondent No. 2.

GURBIR SINGH, J (ORAL)

Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No.137 dated 07.06.2022 under Sections 406 and 120-B IPC, registered at Police Station Canal Colony Bathinda, District Bathinda, and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise deed dated 09.07.2022 (Annexure P-2).

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 learned Addl. Chief Judicial Magistrate, Bathinda, has been received through District and Sessions Judge, Bathinda, with statements of parties, in which, it has been mentioned

that the 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 Versus State of Punjab and another”, 2012(4) RCR (Criminal) 543.

In view of aforesaid report of the learned Addl. Chief Judicial Magistrate, Bathinda, accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.137 dated 07.06.2022 under Sections 406 and 120-B IPC, registered at Police Station Canal Colony Bathinda, District Bathinda, and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise, qua the petitioners only.

10.02.2023

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(GURBIR SINGH)
JUDGE

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