

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

CRM-M-41626-2021

Date of Decision:-31.01.2023

Inder Kumar & Anr.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Karanjeet Singh Brar, Advocate for the Petitioners.

Mr. Maninder Singh Bajwa, DAG Punjab.

Mr. S.S. Dhaliwal, Advocate for

Mr. Abhinav Singh, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of FIR No.26 dated 09.03.2020 (Annexure P-1) under Sections 452, 379, 323, 148, 149 IPC registered with Police Station Sadar Abohar, District Fazilka and all other consequential proceedings arising therefrom, on the basis of compromise dated 16.09.2021 (Annexure P-2) entered into between the parties.

Vide order dated 16.09.2022 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 16.09.2022 with regard to the compromise dated 16.09.2021 (Annexure P-2) arrived at between the parties.

In terms of the order dated 16.09.2022 passed by this Court parties have appeared before the court of Mr. Arjun Singh Sandhu, Judicial Magistrate Ist Class, Abohar and as per common report dated 11.11.2021

submitted to this Court attached in connected case bearing No.CRM-M-38219-2021, 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 Judicial Magistrate Ist Class, Sangrur accompanied by statements of both the parties, the FIR No.26 dated 09.03.2020 (Annexure P-1) under Sections 452, 379, 323, 148, 149 IPC registered with Police Station Sadar Abohar and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 31, 2023
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>