

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

CRM-M-42637-2021

Date of Decision:-12.04.2023

Varinder Singh & Anr.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Prashant Vashisth, Advocate for the Petitioners.

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

Mr. Vinod Kumar, Advocate for

Mr. Vineet Dhanda, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.18 dated 07.05.2018 under Sections 323, 324, 34 IPC (later on added Section 326 IPC) registered at P.S. Kotli Surat Mallian, Batala, Gurdaspur and all consequential proceedings arising therefrom on the basis of compromise dated 18.02.2021 (Annexure P-2) arrived at between the parties.

Vide order dated 09.01.2023 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 09.01.2023 with regard to the compromise dated 18.02.2021 (Annexure P-2).

In terms of the order dated 09.01.2023 passed by this Court parties have appeared before the court of Mr./Ms. Prabhjot Kaur, Judicial Magistrate Ist Class, Batala and as per report dated 15.02.2023 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 Judicial Magistrate Ist Class, Batala accompanied by statements of both the parties, the FIR No.18 dated 07.05.2018 under Sections 323, 324, 34 IPC (later on added Section 326 IPC) registered at P.S. Kotli Surat Mallian, Batala, Gurdaspur and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 12, 2023
Vinay

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