

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.39456 of 2022

Date of Decision: 12.01.2023

Sandeep Sharma and others

.... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Karan Singla, Advocate
for respondent No.2.

GURBIR SINGH, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.288, dated 09.12.2019, under Sections 323, 356, 34 of IPC, 1860 and Section 4 of Punjab Protection of Medicare Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Bill, 2008, registered at Police Station City Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom, on the basis of compromise effected between the parties.

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 the Chief Judicial Magistrate, Ferozepur has been received through the District & Sessions Judge, Ferozepur, Punjab, with statements of the parties, in which, it has been mentioned that the compromise is voluntarily and without any pressure.

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 vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Chief Judicial Magistrate, Ferozepur accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.288, dated 09.12.2019, under Sections 323, 356, 34 of IPC, 1860 and Section 4 of Punjab Protection of Medicare Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Bill, 2008, registered at Police Station City Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise, *qua* the petitioners only.

12.01.2023

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(GURBIR SINGH)
JUDGE

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