

CRM-M-41122 of 2022 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41122 of 2022 (O & M)

Date of decision: 16 .01.2023

Paramjit Kaur and anr.

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. D.S. Khurana, Advocate,
for the petitioner(s).

Ms. Ramta Chaudhary, DAG, Punjab.

Mr. Vipul Babuta, Advocate,
for the complainant/respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No. 156 dated 03.08.2022 under Sections 420, 406, 465, 467, 468, 471 IPC registered at Police Station Samrala, Police District Khanna, District Ludhiana, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 20.08.2022 (Annexure P-2).

Vide order dated 08.09.2022 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 08.09.2022 with regard to the compromise (Annexures P-2).

In terms of the order dated 08.09.2022 passed by this Court parties have appeared before the court of Additional Civil Judge (Sr. Divn.)-cum-SDJM, Samrala and as per the report dated 18.10.2022 submitted to

this Court, both the parties i.e. complainant-Baljit Singh as well as accused-petitioner No.1 Paramjit Kaur, who also suffered statement on behalf of petitioner No.-2/Ajit Singh as he is confined in District Jail, Karnal, have got recorded their respective statements in Court.

A 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 Additional Civil Judge (Sr. Divn.)-cum-SDJM, Samrala, accompanied by the joint statement of both the parties, the present FIR No. 156 dated 03.08.2022 under Sections 420, 406, 465, 467, 468, 471 IPC registered at Police Station Samrala, Police District Khanna, District Ludhiana, Punjab, and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 16, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No