

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

CRM-M-41711-2022

Date of Decision:-31.01.2023

Harmandeep Singh @ Hani & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. N.S. Sidhu, Advocate for the Petitioners.

Mr. Maninder Singh Bajwa, DAG Punjab.

Mr. S.S. Dhaliwal, Advocate for
Mr. T.S. Hundal, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of FIR No.77 dated 23.07.2019 (Annexure P-1) under Sections 381, 411 IPC registered with Police Station City Rampura, District Bathinda and all other consequential proceedings arising therefrom, on the basis of compromise dated 03.09.2022 (Annexure P-2) entered into between the parties.

Vide order dated 13.09.2022 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 13.09.2022 with regard to the compromise dated 03.09.2022 (Annexure P-2) arrived at between the parties.

In terms of the order dated 13.09.2022 passed by this Court parties have appeared before the court of Ms. Meenakshi Gupta, Sub Divisional Judicial Magistrate, Phul and as per report dated 01.11.2022 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 Sub Divisional Judicial Magistrate, Phul accompanied by statements of both the parties, the FIR No.77 dated 23.07.2019 (Annexure P-1) under Sections 381, 411 IPC registered with Police Station City Rampura, District Bathinda 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

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