

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M 42564 of 2022

Date of Decision: 15.03.2023

Karampal and Ors.

.....*Petitioners*

Versus

State of Haryana and Ors.

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Babbar Bhan, Advocate for the petitioners.

Mr. Karan Sharma, DAG, Haryana.

Mr. J.S. Rana, Advocate for respondent No.2.

GURBIR SINGH, J (ORAL)

The petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No.71 dated 20.03.2022 under Sections 147, 148, 323, 452 and 506 IPC registered at Police Station Rajendra Park, Gurugram, District Gurugram, and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise.

On asking, learned counsel for the petitioners states that name of Kartar-petitioner No.7 was found innocent as no evidence was found against him and he is kept in column No.2 of charge sheet. This fact has also been verified by the report of learned JMIC, Gurugram dated 21.09.2022, so he withdraw petition qua him. Petition qua Kartar-petitioner No.7 is dismissed as withdrawn. Registry is directed to do the needful.

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 learned Judicial Magistrate Ist Class, Gurugram, has been received through District and Sessions Judge, Gurugram, with statements of parties, in which, it has been mentioned that the compromise is genuine and valid and outcome of free consent of the parties and is without coercion from any quarter.

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

In view of aforesaid report of the learned Judicial Magistrate, Ist Class, Gurugram, accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.71 dated 20.03.2022 under Sections 147, 148, 323, 452 and 506 IPC registered at Police Station Rajendra Park, Gurugram, District Gurugram, and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise, qua the petitioners only.

(GURBIR SINGH)
JUDGE

15.03.2023

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