

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43686 of 2022 (O & M)

Date of decision: 06.02.2023

Mandeep Singh and ors.

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ravneet Singh Joshi, Advocate,
for the petitioner(s).

Mrs. N.K. Barnala, AAG, Punjab.

Mr. Rupinderjeet Singh, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 Cr.P.C. is for quashing of FIR No.172 dated 06.09.2012 under Sections 324, 323 and 34 IPC registered at Police Station City Sunam, District Sangrur and all consequential proceedings arising therefrom on the basis of compromise dated 05.09.2022 and affidavit (Annexures P-2 and P-3).

Vide order dated 21.09.2022 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 21.09.2022 with regard to the compromise and affidavit (Annexures P-2 and P-3).

In terms of the orders dated 21.09.2022 passed by this Court parties have appeared before the court of Sub Division Judicial Magistrate,

Sunam and as per her report dated 19.10.2022 submitted to this Court, both the parties 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 Sub Divisional Judicial Magistrate, Sunam, accompanied by the joint statement of both the parties, the present FIR No. 172 dated 06.09.2012 under Sections 324, 323 and 34 IPC registered at Police Station City Sunam, District Sangrur and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

February 06, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No