

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

CRM-M-36945-2019

Date of Decision: 14.02.2023

JASVIR SINGH @ JASSA AND OTHERS

.... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Mohit Giri, Advocate for
Mr. Ashok Giri, Advocate
for the petitioners.

Mr. Gurpreet S. Shergill, AAG, Punjab.

Mr. Ravi Rana, Advocate
for respondents No.2 and 3.

GURBIR SINGH, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of DDR No.28, dated 01.04.2019, under Sections 323, 506, 148, 149 (Section 326 IPC added later on) registered at Police Station Mullanpur, SAS Nagar and all subsequent proceedings arising therefrom, on the basis of compromise dated 09.07.2019 effected between the parties.

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 Judicial Magistrate Ist Class, Kharar has been received through the District & Sessions Judge, SAS Nagar, Mohali, with statements of the 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 main FIR 32 dated 25.03.2019, P.S. Mullanpur, District SAS Nagar, Mohali is already quashed vide order dated 25.11.2020 passed in CRM-M-29195 of 2020 passed by Co-ordinate Bench of this Court.

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 learned Judicial Magistrate Ist Class, Kharar accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned DDR No.28, dated 01.04.2019, under Sections 323, 506, 148, 149 (Section 326 IPC added later on) registered at Police Station Mullanpur, SAS Nagar and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 09.07.2019, qua the petitioners only.

14.02.2023

pchawla/raman

**(GURBIR SINGH)
JUDGE**

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