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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-49375-76-2022 in/and
CRM-M-44582-2022
Date of Decision: 07.02.2023

Vijay Kumar and others

.... Petitioners

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Barjesh Kumar Sharma, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. S. K. Sandhir, Advocate
for respondents No.2 and 3.

GURBIR SINGH, J (ORAL)

CRM No.49375 of 2022

Allowed as prayed for.

CRM No.49376 of 2022

The prayer in the present application is for placing on record
the medical prescriptions as Annexure P-3.

In view of the averments made in the application, the prayer
is allowed and medical prescriptions are taken on record as Annexure P-3.

Application stands disposed of.

CRM-M No.44582 of 2022

This is a petition filed under Section 482 Cr.P.C. for quashing
of FIR No.255, dated 14.08.2017, under Sections 420 and 120-B of IPC,

registered at Police Station City Jagraon, District Ludhiana and all subsequent proceedings arising therefrom, on the basis of compromise dated 13.09.2022, effected between the parties.

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 dated 30.01.2023 from the Sub Divisional Judicial Magistrate, Jagraon has been received through the District & Sessions Judge, Ludhiana, with statements of the parties, in which, it has been mentioned that the compromise is genuine, voluntary and without any coercion or undue influence.

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 Sub Divisional Judicial Magistrate, Jagraon accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.255,

dated 14.08.2017, under Sections 420 and 120-B of IPC, registered at Police Station City Jagraon, District Ludhiana and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise, *qua* the petitioners only.

07.02.2023

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(GURBIR SINGH)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : *Yes/No*