

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

CRM-M-43689-2022

Date of Decision:-08.05.2023

Gurinder Singh.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Vijay Kumar, Advocate for
Mr. Sunil Agnihotri, Advocate for the Petitioners.

Ms. Ramta K Chaudhary, DAG Punjab.

Mr. Ketan Chopra, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.0002 dated 11.01.2021 (Annexure P-1) under Sections 406, 420, 120-B IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 registered at P.S. Behram, District SBS Nagar and all consequential proceedings arising therefrom on the basis of compromise dated 21.11.2021 (Annexure P-2) arrived at between the parties.

Vide order dated 30.01.2023 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 30.01.2023 with regard to the compromise dated 21.11.2021 (Annexure P-2).

In terms of the order dated 30.01.2023 passed by this Court parties have appeared before the court of Ms. Radhika Puri, Judicial

Magistrate Ist Class, SBS Nagar and as per report dated 20.02.2023 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.***

Further, the learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in ***Jayrajsinh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589*** and this Court in ***Joginder Singh & another Vs. State of Punjab and another, CRM-M-23739-2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, CRM-M-37395-2016 decided on 16.05.2017*** and ***Bhoj Raj Vs. State of Punjab & another, CRM-24945-2019 decided on 27.09.2019,*** submits that partial quashing of the FIR was possible on the basis of a compromise.

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Ludhiana accompanied by statements of both the parties, the FIR No.0002 dated 11.01.2021 (Annexure P-1) under Sections 406, 420, 120-B

IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 registered at P.S. Behram, District SBS Nagar and all consequential proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 08, 2023
Vinay

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