

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

255-2

CRM-M 44560 of 2022

Date of Decision: 18.01.2023

Akshdeep Singh @ Akashdeep Singh

.....*Petitioner*

Versus

State of Punjab and Ors.

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Vivek Singla, Advocate for the petitioner.
Mr. G.S. Shergill, AAG Punjab.

Mr. Sandeep Kumar Bokolia, Advocate
for respondent Nos. 2 and 3.

GURBIR SINGH, J (ORAL)

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing cross version registered vide G.D. No.78 dated 06.10.2021 under Sections 341, 324, 323, 506, 148, 149 IPC at Police Station City Kotkapura, District Faridkot (Annexure P-2) in an FIR No.228 dated 06.10.2021 under Sections 324, 323, 452, 148, 149 IPC, registered at Police Station City Kotkapura, District Faridkot, and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise dated 03.12.2021 (Annexure P-2).

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 Judicial Magistrate First Class, Faridkot, has been received through District and Sessions Judge,

Faridkot, 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 Judicial Magistrate First Class, Faridkot, accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned cross version registered vide G.D. No.78 dated 06.10.2021 under Sections 341, 324, 323, 506, 148, 149 IPC at Police Station City Kotkapura, District Faridkot (Annexure P-2) in an FIR No.228 dated 06.10.2021 under Sections 324, 323, 452, 148, 149 IPC, registered at Police Station City Kotkapura, District Faridkot, and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise, qua the petitioner.

(GURBIR SINGH)
JUDGE

18.01.2023

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