

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

CRM-M-43921-2022

Date of Decision:-16.03.2023

Ravi Beniwal @ Ravinder Kumar @ Ravinder Baniwal.

.....Petitioner.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Jugraj Singh, Advocate for
Mr. Priyanshu Kamra, Advocate for the Petitioner.

Ms. Navreet Kaur Barnala, Assistant Advocate General,
Punjab.

Mr. Pankaj Garg, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.77 dated 18.06.2019 (Annexure P-1) under Sections 353, 186, 506, 341, 323 and 34 IPC wherein offence under Section 34 IPC was deleted later on registered at Police Station Khuian Sarwar, District Fazilka and all consequential proceedings arising therefrom on the basis of compromise dated 14.09.2022(Annexure P-3) arrived at between the parties.

Vide order dated 22.09.2022 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 22.09.2022 with regard to the compromise dated 14.09.2022 (Annexure P-3).

In terms of the order dated 22.09.2022 passed by this Court parties have appeared before the court of Rubina Josan, Judicial Magistrate Ist Class, Abohar and as per report dated 07.01.2023 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.***

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Abohar accompanied by statements of both the parties, the FIR No.77 dated 18.06.2019 (Annexure P-1) under Sections 353, 186, 506, 341, 323 and 34 IPC wherein offence under Section 34 IPC was deleted later on registered at Police Station Khuian Sarwar, District Fazilka and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 16, 2023
Vinay

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