

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

248

CRM-M-46257 of 2022
Date of Decision:26.04.2023.

Balwinder Singh and another

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Prashant Vashisth, Advocate
for the petitioners.

Mr. M.S. Nagra, A.A.G., Punjab.

Mr. Amarpreet Singh, Advocate for
Mr. Anil Bansal, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in this petition is for quashing of FIR No.160 dated 26.10.2019, registered under Sections 379-B(2), 511, 323, 427 of the Indian Penal Code, 1860 (for short the 'IPC), at Police Station Sadar Ludhiana, Ludhiana-City (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 29.08.2021 (Annexure P-2) arrived at between the petitioner and respondent no.2.

2. Vide order dated 29.11.2022, a Coordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 29.08.2021 (Annexure P-2).

3. The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

4. Pursuant to the order dated 29.11.2022 passed by this Court, the parties appeared before the learned Additional District and Sessions Judge, Ludhiana and as per the report dated 23.12.2022 submitted to this Court, both the parties got their respective statements recorded in Court.

5. A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. The powers under Section 482 Cr.P.C., can be exercised in such like situations 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 directions 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”***.

6. In view of the aforesaid report of the learned Additional District and Sessions Judge, Ludhiana accompanied by statements of both the parties, the FIR No.160 dated 26.10.2019, registered under Sections 379-B(2), 511, 323, 427 IPC, at Police Station Sadar Ludhiana, Ludhiana-City (Annexure P-1) along with all consequential proceedings arising therefrom is hereby quashed *qua* the petitioners.

The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

April 26th, 2023
Rekha

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