

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

CRM-M-45270-2022

Date of Decision:-01.02.2023

Jagsir Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate for the Petitioners.

Ms. Navreet Kaur Barnala, AAG Punjab.

Mr. Tejwinder Singh, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of an FIR No.54 dated 05.08.2015 (Annexure P-1) registered under Sections 307, 323, 427, 148, 149, 120-B IPC and Sections 25, 27, 54, 59 of Arms Act registered with Police Station Phul, District Bathinda later on Section 307 IPC was deleted and Section 336 IPC was added vide DDR dated 02.09.2015 (Annexure P-2) and Sections 25/54/59 of Arms Act was deleted vide DDR dated 17.09.2015 (Annexure P-3) and all other consequential proceedings arising therefrom, on the basis of compromise dated 24.08.2015 (Annexure P-4) entered into between the parties.

Vide order dated 29.09.2022 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 29.09.2022 with regard to the compromise dated 24.08.2015 (Annexure P-4) arrived at between the parties.

In terms of the order dated 29.09.2022 passed by this Court

parties have appeared before the court of Ms. Meenakshi Gupta, Sub Divisional Judicial Magistrate, Phul and as per report dated 15.12.2022 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 Sub Divisional Judicial Magistrate, Phul accompanied by statements of both the parties, the FIR No.54 dated 05.08.2015 (Annexure P-1) registered under Sections 307, 323, 427, 148, 149, 120-B IPC and Sections 25, 27, 54, 59 of Arms Act registered with Police Station Phul, District Bathinda later on Section 307 IPC was deleted and Section 336 IPC was added vide DDR dated 02.09.2015 (Annexure P-2) and Sections 25/54/59 of Arms Act was deleted vide DDR dated 17.09.2015 (Annexure P-3) and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

February 01, 2023
Vinay

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