

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

CRM-M-45308-2022

Date of Decision:-01.02.2023

Davinder Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Simranjit Singh, Advocate for the Petitioners.

Mr. Maninder Singh Bajwa, DAG Punjab.

Mr. Manav Parteek Sharma, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of FIR No.213 dated 30.12.2014 (Annexure P-1) under Sections 295, 427, 148, 149 IPC registered with Police Station Baghapurana, District Moga and all other consequential proceedings arising therefrom, on the basis of compromise dated 19.08.2022 (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 19.08.2022 (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 Mr. Ravneet Singh, Sub Divisional Judicial Magistrate, Baghapurana and as per report dated 11.01.2023 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 Sub Divisional Judicial Magistrate, Baghapurana accompanied by statements of both the parties, the FIR No.213 dated 30.12.2014 (Annexure P-1) under Sections 295, 427, 148, 149 IPC registered with Police Station Baghapurana, District Moga 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