

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(250)

CRM-M-50309-2021
Date of Decision: 18.04.2023

RUPINDER SINGH AND ANOTHER ...Petitioners
VS
STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Hanspuneet Singh Kehal, Advocate for
Mr. G.S. Gurna, Advocate
for the petitioners.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Kanwar Mehtab Singh Jakhar, Advocate for
Mr. Gagandeep Singh Virk, Advocate
For the respondent.

VIKRAM AGGARWAL, J (ORAL)

1. The prayer in this petition is for quashing of FIR No.52 dated 07.05.2012 registered under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station City Jagraon, District Ludhiana along with all subsequent proceedings arising therefrom on the basis of a compromise dated 18.10.2021 (Annexure P-1) arrived at between the petitioners and respondent No. 2.
2. Vide order dated 03.12.2021, a Coordinate Bench of this Court had directed the parties to appear before Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 18.10.2021 (Annexure P-1).
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 03.12.2021 passed by this Court, the parties appeared before the learned Sub Divisional Judicial Magistrate Jagraon, and as per the report dated 08.03.2022 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. 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.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 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 Sub Divisional Judicial Magistrate, accompanied by statements of both the parties FIR No.52 dated 07.05.2012 registered under Sections 420, 467, 468, 471, 120-B IPC registered at Police Station City Jagraon, District Ludhiana along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

7. The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

18.04.2023
Himanshu

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