

CRM-M-45301-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

280

CRM-M-45301-2023

Date of decision: 14.11.2023

Sahil and another

....Petitioners

V/s

The State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Urvashi Singh, Advocate for the petitioners.

Mr. Rajiv Goel, Deputy Advocate General, Haryana.

Mr. Vivek Singla, Advocate for respondent Nos.2 and 3.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No.171 dated 13.04.2023 under Sections 308, 323, 34 and 506 IPC registered at Police Station Ghanaur, District Sonapat (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.08.2023 (Annexure P-2).

Vide order dated 12.09.2023, 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 12.09.2023 with regard to the compromise (Annexures P-2).

In terms of the order dated 12.09.2023 passed by this Court parties have appeared before the court of Additional Sessions Judge, Sonipat and as per the report dated 04.10.2023, submitted to this Court, both the parties have got recorded their respective statements in Court.

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.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 Additional Sessions Judge, Sonipat, accompanied by the joint statement of both the parties, the present FIR No.171 dated 13.04.2023 under Sections 308, 323, 34 and 506 IPC registered at Police Station Ghanaur, District Sonapat (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 14, 2023
Ajay

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