

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

CRM-M-44465-2023

Date of Decision:-31.10.2023

Jagbir Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Fateh Singh Bhullar, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Savreet Singh Brar, Advocate &
Mr. Manish, Advocate for respondent nos.2 & 3.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of FIR No.0003 dated 08.01.2023 under Sections 323, 325, 354, 148, 149, IPC later on Section 354 IPC has been deleted vide DDR No.21 dated 19.01.2023 and Section 452 IPC has been added vide DDR No.29 dated 23.01.2023 (Annexure P-2) registered at P.S. Khalra, District Tarn Taran and all consequential proceedings arising therefrom on the basis of compromise dated 16.08.2023 (Annexure P-3) arrived at between the parties.

Vide order dated 05.09.2023, 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 05.09.2023 with regard to the compromise dated 16.08.2023 (Annexure P-3).

In terms of the order dated 05.09.2023 passed by this Court

parties have appeared before the court of Dr. Harsimrandeep Kaur, Judicial Magistrate Ist Class, Patti and as per report dated 03.10.2023 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 Judicial Magistrate Ist Class, Patti accompanied by statements of both the parties, the FIR No.0003 dated 08.01.2023 under Sections 323, 325, 354, 148, 149, 452 IPC registered at P.S. Khalra, District Tarn Taran and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

October 31, 2023
Vinay

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