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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47674-2022
Date of decision :29.03.2023

HARI SINGH AND ORS.

... PETITIONERS

VERSUS

JAGDEEP SINGH AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Tejinder Pal Singh, Advocate
for the petitioners.

Mr. Neeraj Poswal, Asstt. A.G., Haryana.

Mr. Kanwaljeet Singh Cheema, Advocate
for respondent No. 1.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of complaint bearing No. COMI-2-2019 titled as “Jagdeep Singh Vs. Narender Singh and others instituted on 30.10.2014 under Sections 323, 325, 307, 120-B and 34 IPC pending in the Court of Additional Sessions Judge, Karnal (Annexure P-2) along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 18.10.2022 this Court had directed the parties to appear before Illaqa Magistrate/Trial Court for getting their statements recorded with regard to the compromise dated 14.09.2022 (P-8).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 18.10.2022 passed by this Court, learned Additional Sessions Judge has sent two separate reports dated 09.01.2023 and

15.03.2023 wherein it is stated that both the parties appeared and got recorded their statements to the effect that they have compromised the matter and the same has been made voluntarily and without any coercion or undue influence.

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 District and Sessions Judge, Karnal accompanied by statements of both the parties, the complaint bearing No. COMI-2-2019 titled as “Jagdeep Singh Vs. Narender Singh and others, instituted on 30.10.2014 under Sections 323, 325, 307, 120-B and 34 IPC pending in the Court of Additional Sessions Judge, Karnal (Annexure P-2) along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

29.03.2023
manoj

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No