

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.41387 of 2019

Date of Decision: 13.02.2023

Manu @ Manish Nabh and another

.... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Anupam Bhardwaj, Advocate
for the petitioners.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

GURBIR SINGH, J (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.190, dated 29.08.2018, under Sections 323, 342, 34 of IPC, registered at Police Station Ajnala, District Amritsar Rural and all subsequent proceedings arising therefrom, on the basis of compromise dated 13.09.2019, effected between the parties.

Mr. Anil P. Choudhary, Advocate has appeared and filed his power of attorney on behalf of respondent No.2 today in the Court and the same is taken on record. He affirmed the factum of compromise.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report dated 29.01.2020 from the Sub Divisional Judicial Magistrate, Ajnala has been received through the District & Sessions Judge, Amritsar, with statements of the parties, in which, it has been mentioned that the compromise is genuine, voluntary and is without any coercion or undue influence.

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 direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Sub Divisional Judicial Magistrate, Ajnala accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.190, dated 29.08.2018, under Sections 323, 342, 34 of IPC, registered at Police Station Ajnala, District Amritsar Rural and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise, *qua* the petitioners only.

13.02.2023

rittu/

(GURBIR SINGH)
JUDGE

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