

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

CRM-M-47674-2023

Date of Decision:-24.11.2023

Gurnek Singh & Anr.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Karanjit Singh Gill, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Gurbir S. Sandhu, Advocate for
Mr. Raghav Goyal, Advocate for respondent no.2.

JASJIT SINGH BEDI, J. (ORAL)

The present petition has been filed for quashing of FIR No.39 dated 10.02.2020 under Sections 406, 420 IPC registered at P.S. Gobindgarh Mandi, District Fatehgarh Sahib and all other consequential proceedings arising therefrom, on the basis of compromise dated 22.06.2023 (Annexure P-2) entered into between the parties.

Vide order dated 21.09.2023, 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 21.09.2023 with regard to the compromise dated 22.06.2023 (Annexure P-2).

In terms of the order dated 21.09.2023 passed by this Court parties have appeared before the court of Ms. Shampy Chaudhary, Sub

Divisional Judicial Magistrate, Amloh and as per report dated 14.11.2023 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 Sub Divisional Judicial Magistrate, Amloh accompanied by statements of both the parties, the FIR No.39 dated 10.02.2020 under Sections 406, 420 IPC registered at P.S. Gobindgarh Mandi, District Fatehgarh Sahib and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 24, 2023
Vinay

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