

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

CRM-M-54333-2021

Date of Decision:-17.01.2023

Bikramjit Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. V.S. Kathpal, Advocate for the Petitioners.

Mr. Aman Dhir, Deputy Advocate General, Punjab.

Mr. Himanshu Jain, Advocate for
Mr. Manpreet S. Dua, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of FIR No.153 dated 10.11.2021 (Annexure P-1) under Sections 458, 279, 427, 506, 34 IPC registered with Police Station Sadar Kotkapura, District Faridkot later on added Sections 456 IPC by reducing Sections 458 IPC vide GDR No.39 dated 12.11.2021 and all other consequential proceedings arising therefrom, on the basis of compromise dated 29.11.2021 (Annexure P-2) entered into between the parties.

Vide order dated 23.12.2021 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 23.12.2021 with regard to the compromise dated 29.11.2021 (Annexure P-2) arrived at between the parties.

In terms of the order dated 23.12.2021 passed by this Court parties have appeared before the court of Damandeep Kamal Heera, Judicial

Magistrate Ist Class, Faridkot and as per report dated 18.05.2022 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, Faridkot accompanied by statements of both the parties, the FIR No.153 dated 10.11.2021 (Annexure P-1) under Sections 458, 279, 427, 506, 34 IPC registered with Police Station Sadar Kotkapura, District Faridkot later on added Sections 456 IPC by reducing Sections 458 IPC vide GDR No.39 dated 12.11.2021 and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 17, 2023
Vinay

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