

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

248

CRM-M-50061 of 2022
Date of Decision:24.04.2023.

Gurpreet Singh @ Vicky and another

.....Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Rajesh Tushar, Advocate
for the petitioners.

Mr. Surender Singh, A.A.G., Haryana.

Mr. Shiv Kumar Sharma, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in this petition is for quashing of FIR No.42 dated 03.04.2019, registered under Sections 186/332/353/506 of the Indian Penal Code, 1860 and under Section 3 of the Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act, 2015, at Police Station Ismailabad, District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 17.10.2022 (Annexure P-3) arrived at between the petitioner and respondent no.2.

2. Vide order dated 16.11.2022, a Coordinate Bench of this Court had directed the parties to appear before Duty Magistrate/Illaq Magistrate for getting their statements recorded with regard to the compromise dated 17.10.2022 (Annexure P-3).

3. The Duty Magistrate/Illaq Magistrate was to submit a report in this regard giving certain details as enumerated in the said order.

4. Pursuant to the order dated 16.11.2022 passed by this Court, the parties appeared before the learned Judicial Magistrate Ist Class, Pehowa and as per the report dated 05.04.2023 submitted to this Court, both the parties got their respective statements recorded in Court.

5. 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.P.C., can be exercised in such like situations 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 directions 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”***.

6. In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Pehowa accompanied by statements of both the parties, the FIR No.42 dated 03.04.2019, registered under Sections 186/332/353/506 of the Indian Penal Code, 1860 and under Section 3 of the Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act, 2015, at Police Station Ismailabad, District Kurukshetra (Annexure P-1) along with all consequential proceedings arising therefrom is hereby quashed *qua* the petitioners.

The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

April 24th, 2023
Rekha