

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

CRM-M-50377-2022

Date of Decision: 15.02.2023

**VIKRAMJIT SINGH ALIAS VICKY AND ANOTHER
.... Petitioners**

VERSUS

**STATE OF PUNJAB AND ANOTHER
.... Respondents**

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Karamjit Singh Maangat, Advocate
for the petitioners.

Mr. Gurpreet S. Shergill, AAG, Punjab.

Mr. G.S.Randhawa, Advocate for the respondent No.2.

GURBIR SINGH, J (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.233, dated 18.08.2022, under Sections 379-B, 323, 341, 148, 149 IPC registered at Police Station Civil Line Batala, Police District, Batala, District Gurdaspur (Annexure P-1) and all proceedings arising therefrom, on the basis of compromise dated 05.02.2022 effected between the parties.

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 from the Judicial Magistrate, Ist Class, Batala has been received through the District & Sessions Judge, Gurdaspur, with statements of the parties, in which, it has been mentioned that the compromise is voluntarily and without any coercion or pressure.

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 learned Judicial Magistrate Ist Class, Batala accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.233, dated 18.08.2022, under Sections 379-B, 323, 341, 148, 149 IPC registered at Police Station Civil Line, Batala, Police District, Batala, District Gurdaspur (Annexure P-1) and all proceedings arising therefrom are hereby quashed, on the basis of compromise dated 05.02.2022, qua the petitioners only.

(GURBIR SINGH)
JUDGE

15.02.2023

raman/pchawla

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