

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

CRM-M-48497-2023

Date of Decision:-09.11.2023

Kashmira & Ors.

.....Petitioners.

Versus

State of Haryana & Anr.

.....Respondents.

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

Present:- Mr. Rakesh Sobti, Advocate for the Petitioners.

Mr. Rajiv Goel, Deputy Advocate General, Haryana.

Mr. Sanchit Punia, Advocate for
Mr. Anshul Jain, Advocate for respondent nos.2.

JASJIT SINGH BEDI, J. (ORAL)

The present petition has been filed for quashing of FIR No.0670 dated 26.12.2022 under Sections 406, 420, 120-B IPC registered at P.S. Ballabhgarh City, District Faridabad and all other consequential proceedings arising therefrom, on the basis of compromise dated 15.03.2023 (Annexure P-2) entered into between the parties.

Vide order dated 25.09.2023, 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 25.09.2023 with regard to the compromise dated 15.03.2023 (Annexure P-2).

In terms of the order dated 25.09.2023 passed by this Court parties have appeared before the court of Ms. Nidhi, Judicial Magistrate Ist

Class, Faridabad (wrongly typed as Panchkula) and as per report dated 25.10.2023 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 Judicial Magistrate Ist Class, Faridabad (wrongly typed as Panchkula) accompanied by statements of both the parties, the FIR No.0670 dated 26.12.2022 under Sections 406, 420, 120-B IPC registered at P.S. Ballabhgarh City, District Faridabad and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

November 09, 2023
Vinay

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