

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

273

CRM-M-50745-2022

Date of decision: 28.03.2023

LAKHWINDER SINGH @ SONI AND ANOTHER

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. G.S. Shergill, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No. 119 dated 12.12.2018, under Section 308, 325, 323, 148, 149 IPC, 1860 registered at Police Station S.G.N. Dev Thermal Plant, District Bathinda (Challan submitted under Sections 308, 452, 323, 325, 34 IPC) (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 26.08.2022 (Annexure P-2), 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 dated 10.01.2023 from the Judicial

CRM-M-50745-2022

-2-

Magistrate Ist Class, Bathinda has been received through the District & Sessions Judge, Bathinda, with statements of the parties, in which, it has been mentioned that the compromise has been effected with free consent and without any undue influence.

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 Judicial Magistrate Ist Class, Bathinda accompanied by statement of both the parties, the instant petition is allowed. Consequently, the FIR No. 119 dated 12.12.2018, under Section 308, 325, 323, 148, 149 IPC, 1860 registered at Police Station S.G.N. Dev Thermal Plant, District Bathinda (Challan submitted under Sections 308, 452, 323, 325, 34 IPC) (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise 26.08.2022 (Annexure P-2), qua the petitioners only.

(GURBIR SINGH)
JUDGE

28.03.2023
kusum

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