

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

237

CRM-M-44912 of 2019

Date of Decision:13.04.2023.

Gourav and others

.....Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Rajbir Singh, Advocate
for the petitioners.

Mr. Ravinder Singh, Punjab.

Mr. Ravi Kumar, Advocate for
Mr. Kulwinder Singh, Advocate
for respondents No.2 and 3.

VIKRAM AGGARWAL, J. (ORAL)

The prayer in this petition is for quashing of FIR No.93 dated 21.05.2019, under Sections 323/324/427/148/149 of the Indian Penal Code, 1860, registered at Police Station City Dhuri, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 17.06.2019 (Annexure P-3) arrived at between the petitioners and respondents no.2 and 3.

Vide orders dated 22.10.2019 and 22.01.2020 a Coordinate Bench of this Court had directed the parties to appear before trial Court/Illaq Magistrate for getting their statements recorded with regard to the compromise dated 17.06.2019 (Annexure P-3).

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

Pursuant to the orders dated 22.10.2019 and 22.01.2020 passed by this Court, the parties appeared before the learned Sub Divisional Judicial

Magistrate, Dhuri and as per the report dated 20.02.2020 submitted to this Court, both the parties got their respective statements recorded in Court.

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”***.

In view of the aforesaid report of the learned Sub Divisional Judicial Magistrate, Dhuri accompanied by statements of both the parties, the FIR No.93 dated 21.05.2019, under Sections 323/324/427/148/149 of the Indian Penal Code, 1860, registered at Police Station City Dhuri, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 17.06.2019 (Annexure P-3) 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 13th, 2023
Rekha

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