

CRM-18073-2023 in
CRM-M-52732-2022 (O & M)

::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-18073-2023 in
CRM-M-52732-2022 (O & M)
Date of decision: 27.04.2023

Sodhi Singh Partolla

..... Petitioner

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Raman Preet Singh, Advocate,
for the applicant-petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Saurav Bhatia, Advocate,
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

CRM-18073-2023

This is an application for reviving the main petition and recalling the order dated 12.04.2023 whereby the same was ordered to be for non-prosecution.

For the reasons mentioned in the application, the same is allowed. The main petition is ordered to be restored to its original position and number.

On the request of the learned counsel for the parties, the main

**CRM-18073-2023 in
CRM-M-52732-2022 (O & M)**

::2::

CRM-M-52732-2022

The prayer in this petition is for quashing of FIR No.80 dated 10.11.2020 under Sections 500, 506, 509 IPC and Sections 66(E), 67 IT Act, 2000, registered at Police Station Aur District Shaheed Bhagat Singh Nagar (Nawanshahr) and all consequential proceedings arising therefrom on the basis of compromise dated 20.10.2022 (Annexure P-2).

Vide order dated 16.11.2022 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 16.11.2022 with regard to the compromise (Annexure P-2).

In terms of the aforesaid orders passed by this Court parties have appeared before the court of Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar. As per her report dated 08.12.2022 submitted to this Court, both the parties have got recorded their respective statements 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.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

CRM-18073-2023 in
CRM-M-52732-2022 (O & M)

::3::

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 Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar, accompanied by the joint statement of both the parties, the FIR No. 80 dated 10.11.2020 under Sections 500, 506, 509 IPC and Sections 66(E), 67 IT Act, 2000, registered at Police Station Aur District Shaheed Bhagat Singh Nagar (Nawanshahr) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 27, 2023
sukhpreet

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