

CRM-M-54116-2022

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248 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-54116-2022  
DECIDED ON: 18.05.2023

JASVEER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Karan Garg, Advocate  
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G, Punjab.

Mr. Satvir Singh, Advocate  
for respondent No.2.

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1. The prayer in this petition is for quashing of FIR No.117 dated 23.07.2018 registered under Sections 452, 323, 427, 506 of Indian Penal Code at Police Station Dirba, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 27.01.2020 (Annexure P-2) arrived at between the petitioner and respondent No.2.

2. Vide order dated 21.11.2022, a Coordinate Bench of this Court had directed the parties to appear before the Area Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 27.01.2020.

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

4. Thereafter, vide order dated 03.05.2023, one more opportunity was granted to the parties to appear before the trial Court to record their statements.

5. Pursuant to the order dated 03.05.2023, passed by this Court, the parties appeared before the Sub Divisional Judicial Magistrate, Sunam, and as per the report dated 10.05.2023 submitted to this Court, both the parties got their respective statements recorded in Court.

6. 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. 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 Sub Divisional Judicial Magistrate, Sunam, accompanied by statements of both the parties, the present petition is allowed and FIR No.117 dated 23.07.2018 registered under Sections 452, 323, 427, 506 of Indian Penal Code at Police Station Dirba, District Sangrur, along with all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

(VIKRAM AGGARWAL)  
JUDGE

18.05.2023  
Prince Chawla

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |