

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

245

CRM-M-56042-2022

Date of decision: 01.03.2023

SAROOP SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Simerjeet Singh Bedi Advocate
for the petitioners.

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

Mr. Sanpreet Singh, Advocate
for respondents.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. the Code of Criminal Procedure, 1973 for quashing of FIR No.04, dated 13.01.2018, under Sections 419, 420, 467, 468, 471 and 120-B of IPC, 1860 registered at Police Station Chatiwind, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 17.10.2022 (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 18.01.2023 from the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Amritsar has been received through the District & Sessions Judge, Amritsar, with statements of the parties, in which, it has been mentioned that the compromise is genuine, voluntary and without any pressure or coercion.

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 Civil Judge (junior Division)-cum-Judicial Magistrate Ist Class, Amritsar accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.04, dated 13.01.2018, under Sections 419, 420, 467, 468, 471 and 120-B of IPC, 1860 registered at Police Station Chatiwind, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 17.10.2022 (Annexure P-2), *qua* the petitioners only.

(GURBIR SINGH)
JUDGE

01.03.2023

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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No