

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

250

CRM-M-56094 of 2022

Date of Decision:24.04.2023.

Bachna and others

.....Petitioners

Versus

State of Haryana and another

..... Respondents

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

Mr. Surender Singh, A.A.G., Haryana.

Mr. Reshabh Bajaj, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

1. The prayer in this petition is for quashing of FIR No.36 dated 09.02.2013, registered under Sections 420, 467, 468 and 471 of the Indian Penal Code, 1860, at Police Station Shahbad District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 11.10.2022 (Annexure P-2) arrived at between the petitioner and respondent no.2.

2. Vide order dated 05.12.2022, a Coordinate Bench of this Court had directed the parties to appear before Illaqa Magistrate/trial Court for getting their statements recorded with regard to the compromise dated 11.10.2022 (Annexure P-2).

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

4. Pursuant to the order dated 05.12.2022 passed by this Court, the

parties appeared before the learned Judicial Magistrate Ist Class, Shahabad and as

per the report dated 25.01.2023 submitted to this Court, both the parties got their respective statements recorded in Court.

5. 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”***.

6. In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Shahabad accompanied by statements of both the parties, the FIR No.36 dated 09.02.2013, registered under Sections 420, 467, 468 and 471 of the Indian Penal Code, 1860, at Police Station Shahbad District Kurukshetra (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 11.10.2022 (Annexure P-2) 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 24th, 2023
Rekha

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