

CRM-M-56974 of 2022

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

251

CRM-M-56974 of 2022

Date of Decision:13.04.2023.

Meghraj Bansal and another

.....Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Munish Kumar Garg, Advocate &
Mr. Puneet Kumar Garg, Advocate
for the petitioners.

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

Mr. Tanuj Goyal Tohana, Advocate &
Mr. Vikas Mehra, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.597 dated 09.12.2019, under Sections 294, 34, 341, 452 & 506 of the Indian Penal Code, 1860, registered at Police Station City Tohana, Tohana District Fatehabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 21.11.2022 (Annexure P-2) arrived at between the petitioners and respondent no.2.

Vide order dated 07.12.2022 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 21.11.2022 (Annexure P-2).

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 order dated 07.12.2022 passed by this Court, the

parties appeared before the learned Sub Divisional Judicial Magistrate, Tohana and

as per the report dated 28.12.2022 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, Tohana accompanied by statements of both the parties, the FIR No.597 dated 09.12.2019, under Sections 294, 34, 341, 452 & 506 of the Indian Penal Code, 1860, registered at Police Station City Tohana, Tohana District Fatehabad (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 21.11.2022 (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 13th, 2023
Rekha

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