

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-57339-2022

Date of Decision:-12.04.2023

Ekta Kataria & Ors.

.....Petitioners.

Vs.

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Gourav Jain, Advocate for
Mr. Rajesh Lamba, Advocate for the Petitioners.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Vinod Kumar, Advocate for
Mr. Vineet Dhanda, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.318 dated 31.08.2022 under Sections 34, 506 IPC registered at P.S. Sector 5, Gurgaon and all consequential proceedings arising therefrom on the basis of compromise dated 01.12.2022 (Annexure P-2) arrived at between the parties.

Vide order dated 08.12.2022 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 08.12.2022 with regard to the compromise dated 01.12.2022 (Annexure P-2).

In terms of the order dated 08.12.2022 passed by this Court parties have appeared before the court of Mr./Ms. Himani Gill, Judicial

Magistrate Ist Class, Gurugram and as per report dated 21.01.2023 submitted to this Court, both the parties have got recorded their respective statements in Court.

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 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 learned Judicial Magistrate Ist Class, Gurugram accompanied by statements of both the parties, the FIR No.318 dated 31.08.2022 under Sections 34, 506 IPC registered at P.S. Sector 5, Gurgaon and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 12, 2023
Vinay

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