

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

294

CRM-M-57854-2022

Date of decision: 28.03.2023

INDERPREET SINGH AND ORS.

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Jagdip Singh, Advocate
for the petitioner.

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

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of DDR No. 41 dated 29.05.2018 under Section 324, 323, 34 IPC (Section 326 IPC added later on) (Annexure P-1), in FIR No.159, dated 15.06.2018, under Sections 323, 324, 506, 148, 149 of IPC (323, 324 IPC deleted and 326 IPC added subsequently) registered at Police Station Kotwali Patiala, District Patiala (Annexure P-2), District Patiala and all consequential proceedings arising therefrom, on the basis of compromise dated 17.11.2022 (Annexure P-3), 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 21.01.2023 from the Judicial Magistrate Ist Class, Patiala has been received through the District & Sessions Judge, Patiala, with statements of the parties, in which, it has been mentioned that the compromise has been effected without any pressure or coercion with mutual understanding.

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 Judicial Magistrate Ist Class, Patiala accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned DDR No. 41 dated 29.05.2018 under Sections 324, 323, 34 IPC (Section 326 IPC added later on) (Annexure P-1), in FIR No.159, dated 15.06.2018, under Sections 323, 324, 506, 148, 149 of IPC (323, 324 IPC deleted and 326 IPC added subsequently) registered at Police Station Kotwali Patiala, District Patiala (Annexure P-2), District Patiala and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise 17.11.2022 (Annexure P-3), *qua* the petitioners only.

(GURBIR SINGH)
JUDGE

28.03.2023
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