

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CRM-M-64394 of 2018 (O&M)

Date of Decision:24.03.2023.

Priyank and another

.....Petitioners

Versus

State of Punjab and others

..... Respondents

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

Mr. Ravinder Singh, AAG., Punjab.

Mr. Kamaldeep Sehra, Advocate and
Mr. Amar Singh, Advocate
for respondent no.2.

VIKRAM AGGARWAL, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.193 dated 16.08.2017, registered under Sections 147, 149, 323, 325 and 506 IPC, at Police Station Sector-50, District Gurugram (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 01.12.2018 (Annexure P-2) arrived at between the petitioners and respondent no.2.

Vide order dated 17.01.2020, 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 01.12.2018 (Annexure P-2).

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

Pursuant to the order dated 17.01.2020 passed by this Court, the parties have appeared before the learned Judicial Magistrate Ist Class, Gurugram and as per the report dated 03.03.2020 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 Judicial Magistrate Ist Class, Gurugram, accompanied by statements of both the parties, the FIR No.193 dated 16.08.2017, registered under Sections 147, 149, 323, 325 and 506 IPC, at Police Station Sector-50, District Gurugram (Annexure P-1) along with all consequential proceedings arising therefrom are hereby quashed *qua* the petitioners.

The present petition stands allowed/disposed of accordingly.

(VIKRAM AGGARWAL)
JUDGE

March 24, 2023
Rekha

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