

CRM-M-58934 of 2022 (O & M)

::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-58934 of 2022 (O & M)

Date of decision: 25.05.2022

Renu Bala and ors.

..... Petitioner(s)

V/s

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Santokh Singh, Advocate,
for Mr. Sehaj Sandhawalia, Advocate,
for the petitioner(s).

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Vansh Chawla, Advocate, Advocate,
for the respondents No.2 to 5.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No.595 dated 29.08.2014 under Sections 148, 149, 323, 427, 452, 506 IPC registered at Police Station City Thanesar, Kurukshetra wherein charges were amended later on and the Trial is proceeding under Sections 323, 325, 452, 427 and 506 IPC and all subsequent proceedings arising therefrom on the basis of compromise dated 24.11.2022 (Annexure P-2).

Vide order dated 19.12.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in

CRM-M-58934 of 2022 (O & M)

::2::

terms of certain parameters given in the aforesaid order dated 19.12.2022 with regard to the compromise (Annexures P-2).

In terms of the order dated 19.12.2022 passed by this Court parties have appeared before the court of Additional Chief Judicial Magistrate, Kurukshetra and as per the report dated 06.02.2023 submitted to this Court, both the parties have got recorded their respective statements 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.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 Additional Chief Judicial Magistrate, Kurukshetra, accompanied by the joint statement of both the parties, the present FIR No. 595 dated 29.08.2014 under Sections 148, 149, 323, 427, 452, 506 IPC registered at Police Station City Thanesar,

CRM-M-58934 of 2022 (O & M)

::3::

proceeding under Sections 323, 325, 452, 427 and 506 IPC and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 25, 2023
sukhpreet

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