

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

223

CRM-M-59871 of 2022

Date of Decision:24.03.2023.

Mohd. Shah Alam and others

.....Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Mukesh Kumar Bhatnagar, Advocate
for the petitioners.

Mr. Ravinder Singh, AAG., Punjab.

Mr. Sanjeev Kumar Bawa, Advocate
for Mr. H.S. Rakhra, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.157 dated 01.11.2014, registered under Section 324/323/148/149 IPC, at Police Station B Division, Amritsar City (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of a compromise dated 20.11.2022 (Annexure P-2) arrived at between the petitioners and respondent no.2.

Vide order dated 21.12.2022, 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 20.11.2022 (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 21.12.2022 passed by this Court, the parties appeared before the learned Judicial Magistrate Ist Class, Amritsar and as per the report dated 19.01.2023 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 also 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 First Class, Amritsar accompanied by statements of both the parties, the FIR No.157 dated 01.11.2014, registered under Section 324/323/148/149 IPC, at Police Station B Division, Amritsar City (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 24th, 2023
Rekha

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