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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60305-2022

Date of Decision: 01.05.2023

MANJIT SINGH AND ANOTHER
VS
STATE OF PUNJAB AND OTHERS

....PETITIONERS
..... RESPONDENTS

CORAM: **HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. Vaibhav Sharma, Advocate for the petitioners.

 Mr. J.S.Bhandari, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

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This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.93, dated 30.06.2018, under Sections 323, 341, 506, 336 IPC and Section 27 of Arms Act registered at Police Station Sadar, Dhuri District Sangrur, Punjab and all subsequent proceedings arising therefrom, on the basis of compromise dated 30.11.2022, 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 06.02.2023 from the Sub Division Judicial Magistrate, Dhuri has been received through District & Sessions Judge, Sangrur, with statements of the parties, in which, it has been mentioned that the compromise is genuine, voluntary and without any coercion or undue influence.

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.

On the basis of joint statement of LR’s of complainant (Gurdeep Singh deceased) namely Manjit Singh aged about 19 years son of Gurdeep Singh son of Gurmail Singh, Malkiat Kaur aged about 62 years widow of Gurmail Singh son of Pritam Singh and Jaspal Kaur aged about 41 years widow of Gurdeep Singh son of Gurmail Singh, all residents of village Rangian, Tehsil Dhuri, District Sangrur and statement of accused namely Manjit Singh aged about 34 years son of Nachhattar Singh and Nachhatar Singh aged about 56 years son of Gurdial Singh both residents of village Rangian Tehsil Dhuri, District Sangrur have been recorded.

In view of the aforesaid report of the Judicial Magistrate, Ist Class, Phillaur accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.93, dated 30.06.2018, under Sections 323, 341, 506, 336 IPC and Section 27 of Arms Act registered at Police Station Sadar, Dhuri District Sangrur, Punjab and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise, *qua* the petitioners only.

01.05.2023
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(GURBIR SINGH)
JUDGE

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