

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-40010-2018

Date of decision: 05.05.2023

SURINDER PAL SINGH & ORS

...PETITIONER(S)

VERSUS

STATE OF HARYANA & ANR

...RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Ram Bilas Gupta, Advocate
for the petitioners.

Mr. Karan Sharma, DAG, Haryana.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.631, dated 17.11.2017 (Annexure P-1), under Sections 420, 406, 506, 120-B of IPC registered at Police Station Faridabad Kotwali, District Faridabad and all subsequent proceedings arising therefrom, on the basis of compromise dated 22.11.2017 (Annexure P-2), effected between the parties.

Mr. Parveen Chauhan, Advocate has appeared and filed his *vakalatnama* on behalf of respondent No.2 and the same is taken on record.

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 10.02.2020 from the Judicial

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Sessions Judge, Faridabad, 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.

In view of the aforesaid report of the Judicial Magistrate Ist Class, Faridabad accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.631, dated 17.11.2017 (Annexure P-1), under Sections 420, 406, 506, 120-B of IPC registered at Police Station Faridabad Kotwali, District Faridabad and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 22.11.2017 (Annexure P-2), qua the petitioners only.

(GURBIR SINGH)
JUDGE

05.05.2023
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No