

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

269

CRM-M-54157-2019

Date of decision: 18.04.2023

KULWINDER SINGH AND OTHERS

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. R.K. Girdhar, Advocate
for the petitioners.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

Mr. Abhishek Bhateja, Advocate
for respondents No.2 and 3.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.20, dated 03.04.2018 under Sections 420/120-B of IPC registered at Police Station Bariwala, District Sri Muktsar Sahib (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 30.11.2019 (Annexure P-2), 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, reports dated 22.02.2023 and 17.04.2023 from the Judicial Magistrate Ist Class, Sri Muktsar Sahib have been received through

CRM-M-54157-2019

-2-

the learned District & Sessions Judge, Sri Muktsar Sahib, 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, Sri Muktsar Sahib accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.20, dated 03.04.2018 under Sections 420/120-B of IPC registered at Police Station Bariwala, District Sri Muktsar Sahib (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise dated 30.11.2019 (Annexure P-2), *qua* the petitioners only.

(GURBIR SINGH)
JUDGE

18.04.2023
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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No