

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

287-D

CRM-M-917-2024 (O&M)
Date of decision: 23.04.2024

JASPINDER KAUR
VERSUS
.... PETITIONER(S)

STATE OF PUNJAB AND OTHERS
...RESPONDENT(S)

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Anoop Verma, Advocate
for the petitioner(s).

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Gursewak Singh, respondent No.2 in person.
Mr. Amandeep Singh, respondent No.3 in person.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of an FIR No.193 dated 01.11.2011 (Annexure P-1) registered under Sections 420 and 406 of the IPC, 1860 at Police Station City Mansa, Punjab along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 11.01.2024 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 19.08.2023 (Annexure P-2) and 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 11.01.2024 passed by this Court, the parties have appeared before the learned Chief Judicial Magistrate, Mansa and as per the report dated 06.03.2024 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 complaint 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”***.

*Further, the learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court in **Joginder Singh & another Vs. State of Punjab and another, CRM-M-23739-2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, CRM-M-37395-2016 decided on 16.05.2017, Bhoj Raj Vs. State of Punjab & another, CRM-24945-2019 decided on 27.09.2019 and Vimal Kalra & others Versus State of Punjab & another, CRM-M-20355-2022, decided on 25.07.2022** submits that partial quashing of the FIR was possible on the basis of a compromise.*

It is pertinent to mention here that in the case of “Jaspinder Kaur Vs. State of Punjab and others” bearing No. CRM-M-32540-2022, the order declaring her a proclaimed offender stands quashed by this Court vide order dated 27.07.2022 (Annexure P-7).

In view of the aforesaid report of the learned Chief Judicial Magistrate, Mansa accompanied by statements of both the parties, the FIR No. 193 dated 01.11.2011 (Annexure P-1) registered under Sections 420 and 406 of the IPC, 1860 at Police Station City Mansa, Punjab along with all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

23.04.2024

Kusum

(JASJIT SINGH BEDI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>