



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2077-2024

Date of decision : 28.05.2024

SHUBHAM JASROTIA @ SHUBHAM AND ORS.

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sunil Agnihotri, Advocate
for the petitioners.

Mr. Rahul Jindal, Asstt. A.G., Punjab.

Mr. Vishal Munjal, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of a G.D. No.34 dated 10.06.2020 (Annexure P-1) registered under Sections 341, 323, 324, 201, 148, 149 IPC (Section 326 IPC added later on vide G.D. No.32 dated 07.07.2020) at Police Station Taragarh, District Pathankot in case FIR No.0073 dated 09.06.2020 (Annexure P-3) registered under Sections 452, 323, 201, 148, 149 IPC, 1860 and (Section 326 IPC was added later on) at Police Station Taragarh District Pathankot along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

Vide order dated 16.01.2024 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 20.10.2023 (P-4).



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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 16.01.2024 passed by this Court, the parties have appeared before the Judicial Magistrate, 1st Class, Pathankot and as per the report dated 18.04.2024 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 complainant 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”.

In view of the aforesaid report of the Judicial Magistrate, 1st Class, Pathankot accompanied by statements of both the parties, the G.D. No.34 dated 10.06.2020 (Annexure P-1) registered under Sections 341, 323, 324, 201, 148, 149 IPC (Section 326 IPC added later on vide G.D. No.32 dated 07.07.2020) at Police Station Taragarh, District Pathankot in case FIR No.0073 dated 09.06.2020 (Annexure P-3) registered under



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Sections 452, 323, 201, 148, 149 IPC, 1860 and (Section 326 IPC was added later on) at Police Station Taragarh District Pathankot along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

28.05.2024
JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No