

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-4843-2023

Date of Decision:-05.01.2024

Jaswinder Singh.

.....Petitioner.

Vs.

State of Punjab & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Deepak Singh Saini, Advocate with
Ms. Vibha Nagar, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Lovejeet Singh Poonia, Advocate for
Ms. Mehak Jain, Advocate for the respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.0262 dated 29.08.2021 under Sections 279, 337 IPC registered at P.S. Dera Bassi, District SAS Nagar (Mohali) and all consequential proceedings arising therefrom on the basis of compromise dated 04.01.2023 (Annexure P-2) arrived at between the parties.

Vide orders dated 31.01.2023/31.10.2023 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid orders dated 31.01.2023/31.10.2023 with regard to the compromise dated 04.01.2023 (Annexure P-2).

In terms of the orders dated 31.01.2023/31.10.2023 passed by this Court parties have appeared before the court of Sub Divisional Judicial

Magistrate Derra Bassi and as per reports dated 10.03.2023/22.12.2023 submitted to this Court, both the parties have got recorded their respective statements in Court.

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 reports of the learned Sub Divisional Judicial Magistrate Derra Bassi accompanied by statements of both the parties, the FIR No.0262 dated 29.08.2021 under Sections 279, 337 IPC registered at P.S. Dera Bassi, District SAS Nagar (Mohali) and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 05, 2024
Vinay

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