

CRM-M-9152-2023 (O & M)
(286-a)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9152-2023 (O & M)
Date of decision: 16.04.2024

Mohit and ors.

.... Petitioners

V/s

State of Haryana and anr.

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amit Kumar Jain, Advocate,
for the petitioners.

Mr. Rajiv Goel, DAG, Haryana.

Mr. Sunil Kumar Bhardwaj, Advocate,
for the respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No. 209 dated 23.03.2019 under Sections 148, 149, 323, 427, 506 IPC and Section 3(2)(va) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) registered at Police Station Bhiwani Sadar, District Bhiwani and all consequential proceedings arising therefrom on the basis of a compromise dated 16.01.2023 (Annexures P-2 and P-3).

Vide order dated 04.03.2024 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 order dated 04.03.2024 with regard to the compromise (Annexures P-2 and P-3 respectively).

In terms of the order dated 04.03.2024 passed by this Court parties have appeared before the court of the Additional Sessions Judge,

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Bhiwani and as per the report dated 01.04.2024 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 **Additional Sessions Judge, Bhiwani**, accompanied by the joint statement of both the parties, the present FIR No. 209 dated 23.03.2019 under Sections 148, 149, 323, 427, 506 IPC and Section 3(2)(va) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) registered at Police Station Bhiwani Sadar, District Bhiwani and all consequential proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 16, 2024
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No