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

CRM-M-11083-2024

Date of Decision:-May 29, 2024

Manpreet Singh

.....Petitioner

Vs.

State of Haryana & another

.....Respondents

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

Present:- Mr. Parminder Singh, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. Advocate General, Haryana.

Ms. Bhavna Grewal, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The present petition has been filed for quashing of FIR No.226 dated 14.10.2021 under Sections 406, 420 IPC and Sections 10 and 24 of Immigration Act at Police Station Babain, Kurukshetra (Annexure P-1) and all other consequential proceedings arising therefrom, on the basis of compromise dated 26.09.2022 (Annexure P-2) entered into between the parties.

Vide order dated 01.03.2024 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

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dated 01.03.2024 with regard to the compromise dated 26.09.2022 (Annexure P-2).

In terms of the order dated 01.03.2024 passed by this Court parties have appeared before the Court of Mr. Rajat Verma, Sub Divisional Judicial Magistrate, Shahabad and as per report dated 22.04.2024 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***”.

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***



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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.

In view of the aforesaid report of the Sub Divisional Judicial Magistrate, Shahabad accompanied by statements of the parties, the FIR No.226 dated 14.10.2021 under Sections 406, 420 IPC and Sections 10 and 24 of Immigration Act at Police Station Babain, Kurukshetra (Annexure P-1) and all other consequential proceedings arising therefrom, on the basis of compromise dated 26.09.2022 (Annexure P-2) entered into between the parties are hereby quashed, qua the petitioner only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 29, 2024
satish

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO