

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

CRM-M-10534-2024

Date of Decision : April 09, 2024

Paramjeet Singh @ Pamma and anotherPetitioners
Vs.
State of Punjab and anotherRespondents

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

Present:- Mr. Navinder Jit Singh Dandiwal, Advocate
for the petitioner.

Mr. Mohit Saroha, AAG, Punjab.

Mr. Kuldeep Singh, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of FIR No.164 dated 25.09.2018 (Annexure P-1) under Sections 406, 420, 120-B IPC registered at Police Station Nihal Singh Wala, District Moga and all other consequential proceedings arising therefrom, on the basis of compromise dated 26.12.2023 (Annexure P-3) entered into between the parties.

Vide order dated 28.02.2024 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 26.12.2023 (Annexure P-3) 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 28.02.2024 passed by this Court parties have appeared before the Court of the Sub Divisional Judicial Magistrate, Nihal Singh Wala, Moga and as per report dated 19.03.2024 submitted to this Court (*wrongly sent in CRM-M-10556-2024*), 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 petitioners, 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.

In view of the aforesaid report of the learned Sub Divisional Judicial Magistrate, Nihal Singh Wala, Moga accompanied by statements of both the parties, the FIR No.164 dated 25.09.2018 (Annexure P-1) under Sections 406, 420, 120-B IPC registered at Police Station Nihal Singh Wala, District Moga and all consequential proceedings arising therefrom on the basis of compromise dated 26.12.2023 (Annexure P-3) are hereby quashed qua the petitioners only.

Petition stands disposed of.

**(JASJIT SINGH BEDI)
JUDGE**

April 09, 2024
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Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO