

CRM-M-12603 of 2024 (O & M)

2024:PHHC:099970



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(296)

CRM-M-12603 of 2024 (O & M)
Date of decision: 05.08.2024

Arvind Raj Gupta

..... Petitioner(s)

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Kusum Raj, Advocate,
for the petitioner(s).

Mr. Mohit Saroha, AAG, Punjab.

Mr. M.S. Gill, Advocate,
for the respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No. 107 dated 14.06.2015 under Sections 420, 467, 468 and 471 IPC registered at Police Station Lalru, District SAS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 17.02.2024 (Annexure P-2).

Vide order dated 13.03.2024, 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 13.03.2024 with regard to the compromise (Annexure P-2).

In terms of the order dated 13.03.2024, passed by this Court parties have appeared before the court of Civil Judge (Jr.Divn.)-cum-Judicial Magistrate Ist Class, Dera Bassi and as per the report dated 03.05.2024



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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 Civil Judge (Jr.Divn.)-cum-Judicial Magistrate Ist Class, Dera Bassi, accompanied by the joint statement of both the parties, the present FIR No. 107 dated 14.06.2015 under Sections 420, 467, 468 and 471 IPC registered at Police Station Lalru, District SAS Nagar and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 05, 2023
sukhpreet

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