



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

CRM-M-13804-2024

Date of Decision:-06.08.2024

Surinder Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Anr.

.....Respondents.

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

Present:- Mr. Ramesh Sharma, Advocate for the Petitioner.

Mr. Mohit Saroha, AAG Punjab.

Mr. Nitin Sharma, Advocate for
Mr. B.S. Jaswal, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of a cross case registered vide DDR No.023 dated 01.11.2018 under Sections 323, 326, 148, 149, 341 IPC P.S. Begowal, District Kapurthala in FIR No.98 dated 31.10.2018 under Sections 323, 326, 506, 148 IPC registered at Police Station Begowal, District Kapurthala and all consequential proceedings arising therefrom on the basis of compromise dated 20.01.2024 (Annexure P-3) arrived at between the parties.

Vide order dated 18.03.2024 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 18.03.2024 with regard to the compromise dated 20.01.2024 (Annexure P-3).

The State Counsel has filed Status report by way of affidavit dated 5.8.2024 of Mr. Surinderpal, PPS, Deputy Superintendent of Police, Sub Division Bholath, Kapurthala in the court today, which is taken on record.



In terms of the orders dated 18.03.2024 passed by this Court parties have appeared before the court of Sub Divisional Judicial Magistrate Bholath and as per report dated 22.07.2024 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 report of the learned Sub Divisional Judicial Magistrate Bholath accompanied by statements of both the parties, the cross case registered vide DDR No.023 dated 01.11.2018 under Sections 323, 326, 148, 149, 341 IPC P.S. Begowal, District Kapurthala in FIR No.98 dated 31.10.2018 under Sections 323, 326, 506, 148 IPC registered at Police Station Begowal, District Kapurthala and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 06, 2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No