

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28839-2023
Date of Decision :22.02.2024

Raspinder Singh @ Pulli and Anr. ... Petitioner(s)
Versus
State of Punjab and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

Mr. Gurpartap Singh Bhullar,AAG, Punjab.

Mr. Mahipal Yadav, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.57 dated 09.05.2020 (Annexure P-1) registered under Sections 379-B(1), 148,149 of the IPC, 1860 (offence under Sections 148 and 149 of IPC deleted later on and offence under Section 34 of IPC added later on) at Police Station Sandaur, District Sangrur (now Malerkotla) along with all consequential proceedings arising therefrom, on the basis of a compromise dated 27.05.2023 (Annexure P-2) entered into between the parties.

Vide order dated 01.06.2023, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 27.05.2023 (Annexure P-2) 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 01.06.2023 passed by this Court, the parties have appeared before the learned Additional District & Sessions Judge, Sangrur and as per the report dated 24.11.2023 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 complaint 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-M37395-2016 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, CRMM-20355-2022, decided on 25.07.2022 submits that partial

quashing of the FIR was possible on the basis of a compromise.

Keeping in view the law laid down by this Court in the
aforementioned judgments and the report of the Additional District & Sessions
Judge, Sangrur, the FIR No.57 dated 09.05.2020 (Annexure P-1) registered
under Sections 379-B(1), 148,149 of the IPC, 1860 (offence under Sections 148
and 149 of IPC deleted later on and offence under Section 34 of IPC added later
on) at Police Station Sandaur, District Sangrur (now Malerkotla) along with all
consequential proceedings arising therefrom are hereby quashed qua the
petitioners only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

22.02.2024

HITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No