

CRM-M-37105-2021 (O&M)

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260 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37105-2021 (O & M)

Date of decision: January 08, 2024

Ranjit Raj and others

..... Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sourabh, Advocate for
Mr. Satish Kumar, Advocate
for the petitioners.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Puneet Thakur, Advocate
for respondents No.2 and 3.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.86 dated 03.06.2021 under Sections 323, 307, 34 IPC, registered at Police Station Naya Gaon, District SAS Nagar, Mohali, Punjab and all other consequential proceedings arising therefrom on the basis of compromise dated 31.08.2021 (Annexure P-2) entered into between the parties.

Vide order dated 09.09.2021, this Court had directed the parties to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise (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 09.09.2021 passed by this Court, parties have appeared before the Court of Judicial Magistrate 1st Class, Kharar and as per its report dated 05.10.2021 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.***

The learned counsel for the petitioners contends that all the injuries caused are simple in nature and the question of recording of conviction under Section 307 IPC is highly unlikely.

In view of the aforesaid report of the Judicial Magistrate 1st Class, Kharar accompanied by the joint statements of both the parties, the present FIR No.86 dated 03.06.2021 under Sections 323, 307, 34 IPC, registered at Police Station Naya Gaon, District SAS Nagar, Mohali, Punjab and all other consequential proceedings arising therefrom on the basis of

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compromise dated 31.08.2021 (Annexure P-2) entered into between the parties, are hereby, quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 08, 2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No