

CRM-M-37568-2023 (O&M)

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286 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37568-2023

Date of decision: January 24, 2024

Dhir Singh and others

..... Petitioners

Vs.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rimple Saini, Advocate
for the petitioners.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Saleem Malik, Advocate
for respondents No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.109 dated 01.11.2022 under Sections 323, 341, 506, 34 IPC and Section 325 IPC added later on registered at Police Station Ghanie K. Bangar, Police District Batala, District Gurdaspur and all other consequential proceedings arising therefrom on the basis of compromise dated 26.05.2023 (Annexure P-2) entered into between the parties.

Vide order dated 03.08.2023, this Court had directed the parties to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 26.05.2023 (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 03.08.2023 passed by this Court, parties have appeared before the Court of Judicial Magistrate 1st Class, Batala and as per its report dated 08.09.2023 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 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 Judicial Magistrate 1st Class, Batala accompanied by the joint statements of both the parties, the present FIR No.109 dated 01.11.2022 under Sections 323, 341, 506, 34 IPC and Section 325 IPC added later on registered at Police Station Ghanie K. Bangar, Police District Batala, District Gurdaspur and all other consequential proceedings arising therefrom on the basis of compromise dated 26.05.2023 (Annexure P-2) entered into between the parties, are hereby, quashed.

Petition stands disposed of.

**(JASJIT SINGH BEDI)
JUDGE**

January 24, 2024
satish

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No