

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

CRM-M-38104-2023

Date of Decision:-18.01.2024

Manjit Singh & Ors.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Dinesh Mahajan, Advocate for
Mr. Saleem Malik, Advocate for the Petitioners.

Mr. Mohit Thakur, AAG Punjab.

Ms. Rimple Saini, Advocate for respondent nos.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of Cross Case registered vide General Diary No.26 dated 23.11.2022 under Sections 323, 341, 506 and 34 IPC and Section 325 IPC added later on in FIR No.109 dated 01.11.2022 under Sections 323, 341, 506, 34 IPC and Section 325 IPC added later on) registered at P.S. Ghanie Ke Bangar, Police District Batala, District Gurdaspur and all consequential proceedings arising therefrom on the basis of compromise dated 26.05.2023 (Annexure P-2) arrived at between the parties.

Vide orders dated 07.08.2023 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 orders dated 07.08.2023 with regard to the compromise dated 26.05.2023 (Annexure P-2).

In terms of the orders dated 07.08.2023 passed by this Court parties have appeared before the court of Judicial Magistrate Ist Class,

Batala and as per report dated 26.09.2023 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 reports of the learned Judicial Magistrate Ist Class, Batala accompanied by statements of both the parties, the Cross Case registered vide General Diary No.26 dated 23.11.2022 under Sections 323, 341, 506 and 34 IPC and Section 325 IPC added later on in FIR No.109 dated 01.11.2022 under Sections 323, 341, 506, 34 IPC and Section 325 IPC added later on) registered at P.S. Ghanie Ke Bangar, Police District Batala, District Gurdaspur and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 18, 2024
Vinay

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