

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

CRM-M-47886-2021

Date of Decision:-05.01.2024

Manjot Singh.

.....Petitioner.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Ms. Divya Gulati, Advocate for
Mr. L.M. Gulati, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. G.S. Hundal, Advocate for the respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The present petition has been filed for quashing of the FIR No.112 dated 30.04.2015 (Annexure P-1) registered under Sections 420, 467, 468, 471, 447, 511 and 120-B IPC at Police Station Sultanwind, District Amritsar and all consequential proceedings arising therefrom, on the basis of compromise dated 26.04.2021 (Annexure P-4) entered into between the parties.

Vide order dated 17.11.2021 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 17.11.2021 with regard to the compromise dated 26.04.2021 (Annexure P-4).

In terms of the order dated 17.11.2021 passed by this Court

parties have appeared before the court of Himanshu Arora, Judicial Magistrate Ist Class, Amritsar and as per report dated 26.09.2022 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***”.

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-M-37395-2016 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, CRM-M-20355-2022, decided on 25.07.2022*** submits that partial quashing of the FIR was possible on the basis of a compromise.

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Amritsar accompanied by statements of both the parties, the FIR No.112 dated 30.04.2015 (Annexure P-1) registered under Sections 420, 467, 468, 471, 447, 511 and 120-B IPC at Police Station Sultanwind, District Amritsar and all consequential proceedings arising therefrom are hereby quashed qua the petitioner only.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 05, 2024

Vinay

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