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MAHINDER SINGH AND ORS.

..PETITIONERS

VS.

STATE OF HARYANA AND ANOTHER

..RESPONDENTS

CORAM:HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Lokesh Sharma, Advocate
for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Himanshu Garg, Advocate
for Mr. Aditya Sanghi, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.309 dated 27.04.2017 (Annexure **P-1**) under Sections 120-B/419/420/506/468/467/471 IPC registered at Police Station Sirsa City, District Sirsa and all consequential proceedings arising therefrom on the basis of compromise dated 05.08.2023 (Annexure P-3) arrived at between the parties.

Vide order dated 19.09.2023 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 order dated 19.09.2023 with regard to the compromise dated 05.08.2023 (Annexure P-3).

POONAM SHARMA
2024.05.29 17:02
I attest to the accuracy and
authenticity of this document

In terms of the orders dated 19.09.2023 passed by this Court parties



have appeared before the court of Judicial Magistrate Ist Class, Sirsa and as per report dated 22.05.2024 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 report of the learned Judicial Magistrate Ist Class, Amritsar accompanied by statements of both the parties, the FIR No.309 dated 27.04.2017 (Annexure P-1) under Sections 120-B/419/420/506/468/467/471 IPC registered at Police Station Sirsa City, District Sirsa and all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

May 28, 2024
Poonam Sharma

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No