

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

CRM-M-43322-2022

Date of Decision:-09.01.2024

Sewa Singh & Anr.

.....Petitioners.

Vs.

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Neeraj Yadav, Advocate for the Petitioners.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Sanjay Khan, Advocate for
Mr. Simranjeet Singh Sarwara, Advocate for the respondent
nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of G.D.R. No.45 dated 01.03.2022 under Sections 323, 324, 34 IPC in case FIR No.0046 dated 01.03.2022 registered at P.S. Phase-1, District SAS Nagar and all consequential proceedings arising therefrom on the basis of compromise dated 31.08.2022 (Annexure P-2) arrived at between the parties.

Vide orders dated 20.09.2022 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 20.09.2022 with regard to the compromise dated 31.08.2022 (Annexure P-2).

In terms of the orders dated 20.09.2022 passed by this Court parties have appeared before the court of Ms. Harpreet Kaur, Chief Judicial

Magistrate-cum-Addl. Civil Judge (Senior Division) SAS Nagar, Mohali and as per report 03.04.2023 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 Chief Judicial Magistrate-cum-Addl. Civil Judge (Senior Division) SAS Nagar, Mohali accompanied by statements of both the parties, the G.D.R. No.45 dated 01.03.2022 under Sections 323, 324, 34 IPC in case FIR No.0046 dated 01.03.2022 registered at P.S. Phase-1, District SAS Nagar and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

January 09, 2024
Vinay

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