

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

CRM-M-46827-2023

Date of Decision:-05.03.2024

Mukesh Talwar & Ors.

.....Petitioner.

Vs.

State of Haryana & Ors.

.....Respondents.

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

Present:- Mr. Ketan Chopra, Advocate for the Petitioner.

Mr. Rajiv Goel, Deputy Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 482 Cr.PC is for the quashing of the FIR No.19 dated 19.01.2022 under Sections 120-B, 408, 420 IPC registered at P.S. Sector 53, Gurugram, Haryana and all other consequential proceedings arising therefrom, on the basis of compromise dated 04.04.2022 (Annexure P-2), supplementary MOU dated 30.03.2023 (Annexure P-3) and a MOU dated 6.9.2022 (Annexure P-4) entered into between the parties.

Vide order dated 10.10.2023 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 10.10.2023 with regard to the compromise dated 04.04.2022 (Annexure P-2), supplementary MOU dated 30.03.2023 (Annexure P-3) and a MOU dated 6.9.2022 (Annexure P-4).

In terms of the order dated 10.10.2023 passed by this Court

parties have appeared before the court of Mr. Harsh Kumar Singh, Judicial Magistrate Ist Class, Gurugram and as per reports dated 09.01.2024/28.02.2024 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, Gurugram accompanied by statements of both the parties, the FIR No.19 dated 19.01.2022 under Sections 120-B, 408, 420 IPC registered at P.S. Sector 53, Gurugram, Haryana and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 05, 2024
Vinay

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