

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

112+236

CRM-M-60023-2023 (O&M)
Date of Decision:-16.02.2024

ROCKY BHARGAV

.....PETITIONER(S)

VERSUS

STATE OF PUNJAB AND ANOTHER

....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. R.P. Dhir, Advocate for the petitioner.

Ms. Amrita Garg, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

CRM-7204-2024

Allowed as prayed for and Annexure P-13 is taken on record,
subject to all just exceptions.

CRM-M-60023-2023

The prayer in this petition is for quashing of an FIR No.172 dated 30.12.2015 (Annexure P-1) registered under Sections 411, 457 and 380 of the IPC, 1860 at Police Station Chabbewal, District Hoshiarpur along with all consequential proceedings arising therefrom on the basis of a compromise arrived at between the petitioner and respondent No.2.

Vide orders dated 01.12.2023 and 09.02.2024 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 01.07.2023 (Annexure P-2).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the orders dated 01.12.2023 and 09.02.2024 passed
by this Court, the parties have appeared before the learned Judicial

Magistrate First Class, Hoshiarpur and as per the report dated 05.02.2024 and 15.02.2024 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 complaint 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 First Class, Hoshiarpur accompanied by statements of both the parties, the FIR No.172 dated 30.12.2015 (Annexure P-1) registered under Sections 411, 457 and 380 of the IPC, 1860 at Police Station Chabbewal, District Hoshiarpur along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)

JUDGE

16.02.2024

KUSUM

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No