

203/A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60656-2023
Date of decision: May 03, 2024

Anchal Dhawan and others Petitioners
Vs.
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Yogesh Goel, Advocate
for the petitioners.

Mr. Harkanwar Jeet Singh, Asstt. Advocate General, Punjab.

Mr. Vijay Pal, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.49 dated 22.03.2023 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Dugri, District Ludhiana and all other consequential proceedings arising therefrom on the basis of compromise dated 28.11.2023 (Annexure P-4) entered into between the parties.

A total sum of Rs.10,00,000/- has been received by the complainant. An amount of Rs.6,00,000/- has been received vide two demand draft Nos.167852 dated 02.05.2024 and 167853 dated 02.05.2024, respectively today in Court in terms of the compromise arrived at between the parties.

Vide order dated 04.12.2023 this Court had directed the parties to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise and 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 order dated 04.12.2023 passed by this Court, parties have appeared before the Court of the Judicial Magistrate 1st Class, Ludhiana and as per its report dated 26.02.2024 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 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 Judicial Magistrate 1st Class, Ludhiana accompanied by the joint statements of both the parties, the FIR No.49 dated 22.03.2023 under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station Dugri, District Ludhiana and all other consequential proceedings arising therefrom on the basis of compromise entered into between the parties, are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 03, 2024
satish

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No