

CRM-M-61345-2023

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290 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61345-2023

Date of decision: February 29, 2024

Ajay and another

..... Petitioners

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. R.S. Bajwa, Advocate for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Mr. Manvender Chauhan, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.193 dated 21.06.2023 (Annexure P-1) registered under Sections 323, 34, 506 IPC at Police Station Sector 14, District Gurugram and all other consequential proceedings arising therefrom on the basis of compromise dated 01.12.2023 (Annexure P-2) entered into between the parties.

Vide order dated 06.12.2023, this Court had directed the parties to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise (Annexure P-2) 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 06.12.2023 passed by this Court, parties have appeared before the Court of the Judicial Magistrate 1st Class,

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Gurugram and as per its report dated 19.12.2023 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, Gurugram accompanied by the joint statements of both the parties, the present FIR No.193 dated 21.06.2023 (Annexure P-1) registered under Sections 323, 34, 506 IPC at Police Station Sector 14, District Gurugram and all other consequential proceedings arising therefrom on the basis of compromise dated 01.12.2023 (Annexure P-2) entered into between the parties, qua the petitioner are hereby quashed,

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

February 29, 2024
satish

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