

291 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60924-2023

Date of decision: April 22, 2024

Rajinder Kaur alias Harjinder Kaur and another Petitioners
Vs.
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sanjay Khan, Advocate for
Mr. S.S.Sarwara Advocate
for the petitioners.

Mr. Mohit Saroha, AAG, Punjab.

Mr. Ishan Gupta, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the FIR No.24 dated 05.02.2020 under Sections 420, 120-B IPC registered at Police Station Lambi, District Sri Muktsar Sahib and all other consequential proceedings arising therefrom on the basis of compromise dated 21.08.2023 (Annexure P-2) entered into between the parties.

Vide order dated 05.12.2023 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 05.12.2023 passed by this Court, parties have appeared before the Court of the Sub Divisional Judicial Magistrate, Gidderbaha and as per its report dated 04.04.2024 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 Sub Divisional Judicial Magistrate, Gidderbaha accompanied by the joint statements of both the parties, the present FIR No.24 dated 05.02.2020 under Sections 420, 120-B IPC registered at Police Station Lambi, District Sri Muktsar Sahib and all other consequential proceedings arising therefrom on the basis of compromise dated 21.08.2023 (Annexure P-2) entered into between the parties, are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 22, 2024
satish

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No