

285/A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-130-2024**

Date of decision: April 08, 2024

Varinder Singh and another Petitioners
Vs.
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. M.P. Singh, Advocate for the petitioners.

Mr. Mohit Saroha, AAG, Punjab.

Mr. Simranjit Singh, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of the DDR No.041 of 2022 dated 06.10.2022 under Sections under Sections 323, 324, 341, 506 and 34 IPC registered at Police Station Machhiwara Sahib, Tehsil Samrala, District Ludhiana in FIR No.222 of 2021 dated 11.12.2021 under Sections 323, 324, 341, 506 and 34 IPC registerered at Police Station Machhiwara Sahib, Tehsil Samrala, District Ludhiana and all other consequential proceedings arising therefrom on the basis of compromise dated 04.12.2023 (Annexure P-2) entered into between the parties.

Vide order dated 08.01.2024 this Court had directed the parties to appear before the Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 04.12.2023 (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 08.01.2024 passed by this Court, parties have appeared before the Court of the Judicial Magistrate 1st Class, Samarala and as per its report dated 26.02.2024 submitted to this Court, both the parties have got recorded their respective statements in Court.

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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, Samrala accompanied by the joint statements of both the parties, the present DDR No.041 of 2022 dated 06.10.2022 under Sections under Sections 323, 324, 341, 506 and 34 IPC registered at Police Station Machhiwara Sahib, Tehsil Samrala, District Ludhiana in FIR No.222 of 2021 dated 11.12.2021 under Sections 323, 324, 341, 506 and 34 IPC registerered at Police Station Machhiwara Sahib, Tehsil Samrala, District Ludhiana and all other consequential proceedings arising therefrom on the basis of compromise dated 04.12.2023 (Annexure P-2) entered into between the parties, are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 08, 2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No