

2025:PHHC:060176



CRM-M-7232 of 2025 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-7232 of 2025 (O & M)

Date of decision:07.05.2025

Gurmail Singh and ors.

..... Petitioner(s)

V/s

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner(s).

Mr. Kunwar Bir Singh, Asstt. A.G., Punjab.

Mr. S.S. Tiwana, Advocate, for respondents No.2 and 3.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for quashing of FIR No.43 dated 24.04.2020 under Sections 324, 323, 148 IPC read with Section 149 IPC registered at Police Station Sadar Faridkot, District Faridkot and all subsequent proceedings arising therefrom on the basis of compromise dated 16.12.2024 (Annexure P-2).

Vide order dated 07.02.2025 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 07.02.2025 with regard to the compromise (Annexure P-2).

In terms of the order dated 07.02.2025 passed by this Court, the parties have appeared before the court of Judicial Magistrate Ist Class,

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Faridkot and as per the report dated 05.04.2025 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 Ist Class, Faridkot, accompanied by the joint statement of both the parties, the present FIR No. 43 dated 24.04.2020 under Sections 324, 323, 148 IPC read with Section 149 IPC registered at Police Station Sadar Faridkot, District Faridkot and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners herein.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 07, 2025
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No