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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.12220 of 2014
Date of Decision: 06.07.2015**

Attar Singh and others

.....Petitioners

Vs

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.K. Panwar, Advocate
for the petitioners.

Mr. Ripu Daman, AAG, Haryana.

Mr. Mohan Singh, Advocate
for respondents No.2 to 4.

1. ***Whether Reporters of local papers may be allowed to see the judgment ?***
2. ***To be referred to the Reporters or not ?***
3. ***Whether the judgment should be reported in the Digest?***

RAJ MOHAN SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No. 188 dated 25.11.2013, under Sections 406/420 of IPC, Police Station Tigaon, District Faridabad on the basis of compromise.

Vide order dated 07.04.2014, this Court has directed the parties to appear before the Illaqa Magistrate/trial Court and get their statements recorded with regard to compromise in question.

In compliance to said order, both the parties have appeared before the Judicial Magistrate Ist Class, Faridabad and have also got

recorded their statements, endorsing the factum of compromise and its validity being free from any pressure.

Judicial Magistrate Ist Class, Faridabad, vide her report dated 26.05.2014 has also endorsed the factum of compromise by mentioning that none of the accused has been declared as proclaimed offender and compromise is up to the satisfaction that the same is without any fear or pressure and is voluntarily arrived at between the parties.

This Court is of the opinion that in view of compromise between the parties, chances of conviction of the accused are remote and there is minimal chance of the witnesses coming forward to depose in support of prosecution version. In view of remote chances of conviction, it would be appropriate to exercise discretionary power of this Court under Section 482 Cr.P.C. to put an end to the controversy for all times to come. The compromise would facilitate both the parties to live in peace and to maintain public tranquility and offence in question is personal in nature and does not involve any heinous and serious offence of any mental depravity, nor it involves any offence covered under Prevention of Corruption Act. Therefore, when possibility of conviction is remote and bleak, continuation of criminal proceedings would put the accused to oppression and prejudice. In such a situation the exercise of power to quash the proceedings would be in consonance with the provisions of law to meet ends of justice and to prevent unnecessary continuation of proceedings which may ultimately result in some

unnecessary vagaries of criminal trial.

The State on notice, however, object to the aforesaid course, but in order to prevent unnecessary continuation of criminal proceedings on the ground that there are bleak chances of conviction in the case, this Court is of the opinion that it would be in fitness of things to quash the proceedings on the basis of compromise.

Resultantly, FIR No. 188 dated 25.11.2013, under Sections 406/420 of IPC, Police Station Tigaon, District Faridabad and all the subsequent proceedings arising therefrom, are quashed.

July 06, 2015
prince

(RAJ MOHAN SINGH)
JUDGE