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

**CRM-M No.43231 of 2014
Date of Decision: 07.08.2015**

VIKAS SHARMA

.....Petitioner

Vs

STATE OF PUNJAB & ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Lovkesh Gupta, Advocate
for the petitioner.

Mr. Jashanpreet Singh, A.A.G., Punjab.

None for respondents No.2 and 3.

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.88 dated 12.07.2014, under Sections 454, 380 IPC, Police Station Division No.4, Jalandhar, District Jalandhar City, on the basis of compromise.

This Court vide order dated 06.07.2015 directed both the parties to appear before the trial Court/Illaq Magistrate for recording their statements on the factum of compromise. Trial Court was also directed to record the statements of the parties to its satisfaction and report regarding genuineness of the compromise in question.

Pursuant to the aforesaid order, report dated 16.07.2015

has been received from Chief Judicial Magistrate, Jalandhar in the Court, endorsing the factum of compromise between the parties. The compromise is found to be genuine and voluntary in nature.

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, objects 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.88 dated 12.07.2014, under Sections 454, 380 IPC, Police Station Division No.4, Jalandhar, District Jalandhar City and all the subsequent proceedings arising therefrom, are quashed.

August 07, 2015

Atik

**(RAJ MOHAN SINGH)
JUDGE**