

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

**CRM-M No.44273 of 2016  
Date of Decision: 09.03.2017**

**Pardeep Kumar**

**.....Petitioner**

**Vs**

**State of Punjab and another**

**.....Respondents**

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

Present: Ms. Rahish Pahwa, Advocate  
for the petitioner.

Mr P.S. Ghuman, Addl, AG, Punjab.

\*\*\*\*\*

**RAJ MOHAN SINGH, J. (oral)**

Prayer in this petition is for quashing of FIR No.127 dated 19.10.2016 registered under Sections 406, 498-A IPC at Woman Police Station, District Ludhiana City as well as all the subsequent proceedings arising therefrom on the basis of compromise.

Petitioner as well as respondent No.2 are present in Court and have been identified by learned counsel for the petitioner who are *ad idem* that they have started living together on account of compromise.

In pursuance of order dated 12.12.2016, parties have already appeared before the Judicial Magistrate, First Class, Ludhiana and have deposed in the context of genuineness of the

compromise in question. After recording their statements on 22.12.2016, Judicial Magistrate, First Class, Ludhiana has also endorsed the genuineness of compromise which has been effected between the parties voluntarily and without any pressure or undue influence.

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.

Learned State counsel, 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.

The compromise in question is fully in consonance with the guidelines framed in Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052 and Gian Singh vs. State of Punjab and another 2012 (4) RCR (Crl.) 543.

Resultantly, FIR No.127 dated 19.10.2016 registered under Sections 406, 498-A IPC at Woman Police Station, District Ludhiana City as well as all the subsequent proceedings arising therefrom are quashed.

(RAJ MOHAN SINGH)  
JUDGE

March 09, 2017  
Prince

|                           |        |
|---------------------------|--------|
| Whether Reasoned/Speaking | Yes/No |
| Whether Reportable        | Yes/No |