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

CRM-M No.30711 of 2020

Date of Decision:16.11.2020

Kuldeep Singh

.....Petitioner

Vs

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Ms. Harmanpreet Kaur, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

[1]. The case has been taken up for hearing through video conferencing.

[2]. Prayer in this petition is for quashing of FIR No.145 dated 08.09.2018 registered under Sections 354-A, 506 IPC at Police Station City Lalru, District SAS Nagar as well as all the subsequent proceedings arising therefrom on the basis of compromise.

[3]. Vide order dated 01.10.2020, both the parties were directed to appear before the Illaqa Magistrate/Trial Court for recording their statements in the context of genuineness of the compromise.

[4]. In compliance of order dated 01.10.2020, both the

parties have appeared before Judicial Magistrate Ist Class, Derabassi. The Court has submitted its report dated 14.10.2020 to the effect that there is only one accused involved in the present case and no accused has been declared proclaimed offender. Statements of ASI Baljiner Singh has been recorded to this effect. Statements of both the parties have been recorded in the context of compromise and compromise in question has been found to be genuine, voluntary and with free will.

[5]. 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.

[6]. 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.**

[7]. Resultantly, FIR No.145 dated 08.09.2018 registered under Sections 354-A, 506 IPC at Police Station City Lalru, District SAS Nagar as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[8]. Petition stands disposed of.

16.11.2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No