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

**CRM-M No.27517 of 2020(O&M)
Date of Decision: 30.10.2020**

Pillu Singh and others

.....Petitioners

Vs

State of Punjab and others

.....Respondents

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

Present:Mr. J.S. Khiva, Advocate
for the petitioners.

Mr. SPS Tinna, Addl., AG, Punjab.

Ms. Megha, Advocate
for respondents No.2 to 6.

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.38 dated 10.03.2020 registered under Sections 452, 323, 148, 149 IPC at Police Station Bareta, District Mansa and DDR No.010 dated 10.03.2020 registered under Sections 341, 323, 34 IPC at Police Station Bareta well as all the subsequent proceedings

arising therefrom on the basis of compromise.

[3]. In compliance of order dated 11.09.2020, both the parties have appeared before the Sub Divisional Judicial Magistrate, Budhlada. After recording their statements, the Court has found that the compromise is voluntarily executed. Joint statement of all the accused was recorded by the Court. Statements of the complainant and others were also recorded. All have endorsed the factum of compromise to be genuine. No accused has been declared as proclaimed offender.

[4]. 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

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.

[5]. 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.**

[6]. Resultantly, FIR No. 38 dated 10.03.2020 registered under Sections 452, 323, 148, 149 IPC at Police Station Bareta, District Mansa and DDR No.010 dated 10.03.2020 registered under Sections 341, 323, 34 IPC at Police Station Bareta as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[7]. Petition stands disposed of.

30.10.2020	(RAJ MOHAN SINGH)
<i>Prince</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No