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

**CRM-M No.36107 of 2019(O&M)
Date of Decision: 30.10.2020**

Sanjay and others

.....Petitioners

Vs

State of Haryana and others

.....Respondents

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

Present:Mr. Jagjit Gill, Advocate
for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Balraj Sidhu, Advocate
for the complainant(s).

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.0148 dated 07.07.2019 registered under Sections 148, 149, 285, 323, 336, 506 IPC and under Section 25 of the Arms Act at Police Station Sadar Sirsa, District Sirsa as well as all the subsequent proceedings arising therefrom on the basis of compromise.

[3]. Vide order dated 16.01.2020, both the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements in the context of genuineness of the compromise in question.

[4]. After recording their statements, Chief Judicial Magistrate, Sirsa has submitted the report endorsing the voluntary nature of the compromise. It has been submitted that FIR was registered against seven accused. No person has been declared as proclaimed offender. The compromise has been effected voluntarily, without coercion or undue influence. The compromise is found to be genuine. Chief Judicial Magistrate has also sent copies of recorded statements of the parties along with report.

[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. 0148 dated 07.07.2019 registered under Sections 148, 149, 285, 323, 336, 506 IPC and under Section 25 of the Arms Act at Police Station Sadar Sirsa, District Sirsa as well as all the subsequent proceedings arising

therefrom, are hereby quashed.

[8]. Petition stands disposed of.

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