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

**CRM-M No.48073 of 2018
Date of Decision: 06.01.2020**

Pardeep Kumar

.....Petitioner

Vs

State of Punjab and another

.....Respondents

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

Present: Mr. Dhawaljeet Dutta, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

[1]. Prayer in this petition is for quashing of FIR No.135 dated 19.06.2018 registered under Section 420 IPC and Section 24 of Immigration Act at Police Station City Gurdaspur, Tehsil and District Gurdaspur as well as all the subsequent proceedings arising therefrom on the basis of compromise.

[2]. Vide order dated 19.03.2019, both the parties were directed to appear before the trial Court for recording their respective statements in the context of compromise. Trial Court was also directed to send the report regarding genuineness of the compromise.

[3]. In compliance of the order dated 19.03.2019 passed by this Court, report has been received from Chief Judicial Magistrate, Gurdaspur, wherein factum of compromise has been endorsed after recording statements of Satnam Singh (respondent No.2) and the petitioner. Compromise has been found to be genuine and has been entered into out of free will and without any pressure.

[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 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.135 dated 19.06.2018 registered under Section 420 IPC and Section 24 of Immigration Act at Police Station City Gurdaspur, Tehsil and District Gurdaspur as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[7]. Petition stands disposed of.

January 06, 2020

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No