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

**CRM-M No.30748 of 2020(O&M)
Date of Decision: 18.01.2021**

Jagroop Singh and others

.....Petitioners

Vs

State of Punjab and another

.....Respondents

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

Present:Mr. Atul Goyal, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. Paramjit Singh, Advocate
for respondent No.2.

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.124 dated 18.06.2019 registered under Sections 380, 448, 511, 506 IPC at Police Station Samrala, Police District Khanna along with all subsequent proceedings arising therefrom on the basis of compromise.

[3]. Vide order dated 01.10.2020 parties were directed to appear before the Illaqa Magistrate/trial Court for recording their statements in respect of genuineness of the compromise in question.

[4]. In compliance of the aforesaid order, the trial Court has reported to the following effect:-

“In pursuance of order dated 01.10.2020 passed by Hon'ble Punjab and Haryana High Court in subject cited case, the parties appeared for recording their statements with regard to compromise. Statement of Paramjit Singh son of Bachhan Singh and joint statement of accused Jagroop Singh son of Bikram Singh, Hartej Singh son of Sukhpal Singh, Tejpal Singh son of Soham Singh, Gurdarshan Singh son of Swaran Singh and Deepak Kumar son of Major Singh (Petitioners in CRM-M-30748-2020) and statement of Paramjit Singh (Respondent in CRM-M-30748-2020) recorded whereby they have stated that they have entered into compromise with free will and without any undue pressure and coercion. The complainant has submitted that he has no objection if the FIR is quashed.

I have the honour to submit that as per record there are total five accused in the present case. It is further reported that as per judicial file, none of the accused has been declared proclaimed offender. However, the compromise arrived between the parties

seems to be genuine and valid one.

The report is submitted accordingly along with original statements.”

[5]. In view of report submitted by the trial Court, this Court is of the firm opinion that in view of compromise between the parties, there would be remote and negligible chances of the witnesses coming forward to depose in favour of the prosecution version. There would be remote chances of conviction, therefore, in order to put an end to the controversy for all times to come, exercise of inherent powers under Section 482 Cr.P.C would be in the interest of justice to facilitate both the parties to arrive at peaceful resolution of the dispute and also to maintain public tranquility in the area. The offence is personal in nature and the same does not involve any mental depravity and also does not involve any offence under Prevention of Corruption Act. In such situation, exercise of inherent jurisdiction in terms of Section 482 Cr.P.C would be in consonance with the requirement of law to meet ends of justice and to prevent unnecessary continuation of criminal proceedings, which would ultimately result in vacuum. Powers under Section 482 Cr.P.C can be exercised in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused.

The compromise in question is found to be in fully consonance with the direction issued by the Court 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]. Learned State counsel has objected to the aforesaid course, but in the interest of justice and also to prevent unnecessary continuation of criminal proceedings, I am of the view that inherent powers under Section 482 Cr.P.C can be exercised in order to achieve ends of justice.

[7]. Resultantly, FIR No.124 dated 18.06.2019 registered under Sections 380, 448, 511, 506 IPC at Police Station Samrala, Police District Khanna as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[8]. Petition stands disposed of.

18.01.2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No