

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CRM-M-30372-2016 (O & M)****Date of decision: 18.10.2022**

Jaspal Kaur

.... Petitioner

V/s

State of Punjab and anr.

...Respondent

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. H.S. Randhawa, Advocate,  
for Mr. P.S. Ahluwalia, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Sandeep Sharma, Advocate, for respondent No.2.

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**JASJIT SINGH BEDI, J. (Oral)**

The prayer in the present second petition under Section 482 Cr.P.C. is for quashing of the charge-sheet and order framing charge, both dated 09.07.2015 (Annexure P-10) passed by the Judicial Magistrate Ist Class, Patiala, by virtue of which charge has been framed against the petitioner for the offence under Section 420 IPC in case FIR No.125 dated 22.04.2014 (Annexure P-1) registered at Police Station Tripuri, District Patiala as well as impugned judgment dated 18.01.2016 (Annexure P-12) passed by the Court of the Additional Sessions Judge, Patiala, by virtue of which, revision petitioner (Annexure P-11) filed by the petitioner for setting aside the charge-sheet and order framing charges (Annexure P-10) has been dismissed.

*“Notice of motion for 24.10.2016.*

*Notice re: stay as well”.*

3. The matter was thereafter adjourned and on 13.02.2017, the following order was passed:-

*“At the time of issuance of notice of motion, notice regarding stay was also issued on 01.09.2016.*

*Learned counsel for respondent No.2 is not well.*

*List on 22.03.2017.*

*In the interest of justice, trial Court is directed to defer the proceedings beyond the date fixed by this Court”.*

4. The matter stood adjourned from time to time and ultimately on 08.09.2022, the following order was passed by this Court:-

*“The learned counsel for the parties are ad idem that the parties want to explore the possibility of an amicable settlement of the dispute.*

*Let the matter be referred to the Mediation and Conciliation Centre of this Court to explore the possibility of an amicable settlement. The parties are directed to appear before the aforesaid Forum on 16.09.2022.*

*Adjourned to 11.10.2022.*

*The learned counsel for respondent No.2 is at liberty to file a reply on behalf of respondent No.2 in the meantime.*

*Interim order to continue”.*

5. Based on the aforementioned order, the matter was referred to the Mediation and Conciliation Centre of this Court, to explore the possibility of a compromise.

6. A perusal of the report of the Mediation and Conciliation Centre of this Court dated 10.10.2022 would reveal that a settlement/compromise has been arrived at between the parties. The same is

already on record.

7. In view of the said settlement arrived at between the parties, the matter was taken up today for hearing.

8. The learned counsel for the petitioner has referred to the settlement dated 10.10.2022 to contend that the proceedings before the Courts below be quashed as a settlement has been arrived at between the parties.

9. The learned counsel for the respondent No.2-complainant has admitted the factum of a compromise/settlement having been arrived at and states that he has no objection if the present petition is allowed and the proceedings are quashed in terms of the prayer made.

10. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation 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 fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

11. Keeping in view the aforementioned facts and in furtherance of the compromise that has been arrived at, the charge-sheet and order framing charge, both dated 09.07.2015 (Annexure P-10) passed by the Judicial Magistrate Ist Class, Patiala, as well as impugned judgment dated 18.01.2016 (Annexure P-12) passed by the Court of the Additional Sessions Judge, Patiala, and all subsequent proceedings arising therefrom stand

quashed.

12. The present petition is disposed of accordingly.

( JASJIT SINGH BEDI)  
JUDGE

October 18, 2022  
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No