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

CRM-M No.22196 of 2022 (O&M)

Date of Decision: 09.12.2022

Madan Lal and others

-Petitioners

Vs

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Mandeep S. Sachdev, Advocate
for the petitioners.

Mr. Sanjeev Soni, Addl. A.G., Punjab.

Mr. Mohd. Yousaf, Advocate,
for respondents No.2 and 3.

RAJ MOHAN SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.1 dated 05.01.2018 registered under Section 420 IPC (Offences under Sections 409, 465, 467, 468, 471, 120-B IPC added later on) at Police Station NRI Jalandhar, District Jalandhar Rural and order dated 08.04.2022 passed by Judicial Magistrate Ist Class, Jalandhar along with all subsequent proceedings arising therefrom on the basis of compromise dated 11.05.2022.

Vide order dated 01.06.2022, the learned Magistrate was directed to submit a report on different parameters vis filing of challan, framing of charges and status of prosecution evidence and signing of the compromise by all the parties.

As per the report, the petitioner No.6 is not party to both the compromise deeds (Ex.P2 and P4).

Learned counsel for the petitioners seeks to withdraw the present petition qua petitioner No.6 at this stage.

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.**

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.

Resultantly, FIR No.1 dated 05.01.2018 registered under Section 420 IPC (Offences under Sections 409, 465, 467, 468, 471, 120-B IPC added later on) at Police Station NRI Jalandhar, District Jalandhar Rural and order dated 08.04.2022 passed by Judicial Magistrate Ist Class, Jalandhar as well as all the subsequent proceedings arising therefrom, are hereby quashed.

Petition stands disposed of.

Petition qua petitioner No.6 is ordered to be dismissed
as withdrawn at this stage.

09.12.2022
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No