

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

**CRM-19300 of 2014 in/and
CRA-S-2342-SB of 2014
Decided on : 16.01.2015**

**Lakhwinder Singh and others
versus**

...Appellants

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ramandeep Singh, Advocate for
Ms. Belajeet Kaur, Advocate
for the applicants-appellants.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J.(ORAL)

On 21st August, 2014 the following order was passed:-

“This is an application for compounding of offence on the basis of compromise.

The parties are directed to appear before the trial Court on 1.9.2014 for getting their statements recorded with regard to the compromise. The trial Magistrate shall submit the report on or before the next date of hearing. The report be forwarded to the Court below specifying the following:-

- 1. The number of accused arrayed in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;*
- 2. the name of the complainant and injured and whether all of them have appeared and made their statements in support of the compromise;*
- 3. the stage of trial/proceedings;*
- 4. if the compromise is genuine, voluntarily and out of free will of the parties.*

Report of the trial Court is awaited for 22.9.2014”.

Thereafter, the report of Additional Sessions Judge,

Gurdaspur dated 10.09.2014 has been received whereby he had mentioned that the parties had appeared before him and had attested to the fact that a compromise had indeed taken place between them and that the compromise had been executed voluntarily and without any pressure. He has further intimated that no other litigation is pending between the accused and the complainant.

Learned counsel for the applicants-appellants has relied upon the judgment passed by this Court in case of “Sube Singh and another vs. State of Haryana and another, 2013(4) RCR (Criminal) 102”, wherein it has been held that High Court vested unparalleled power to quash criminal proceedings at any stage to secure ends of justice.

Learned Additional A.G. is not in a position to counter this argument.

Consequently, the application as well as an appeal are allowed. The offence is compounded and the impugned judgment convicting the appellant is set aside.

16.01.2015
m. sharma

(AJAY TEWARI)
JUDGE