

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**Crl. Misc. No. M-4808-2014**  
**Date of decision: 21.07.2015**

Inderjit Singh .. Petitioner

Vs.

Gurbachan Singh and another .. Respondents

**Coram: Hon'ble Mr. Justice Mahesh Grover**

Present: Mr. JBS Gill, Advocate for the petitioners.  
Mr. Rupam Aggarwal, DAG, Punjab.  
Ms.Amandip Kaur , Advocate for respondent no.2.  
\*\*\*

**Mahesh Grover, J**

This is a petition under Section 482 of the Code of Criminal Procedure praying for quashing of Complaint No.6 of 2004 dated 21.01.2004, titled Gurbachan Singh v. Jameet Singh and others for offences under Sections 323, 342, 506, 452, 148 and 149 IPC and all consequential proceedings arising therefrom on the basis of compromise.

On 25.02.2014, 31.03.2014, 19.05.2014 and 20.02.2015, this Court had directed the Chief Judicial Magistrate / Duty Magistrate to record the statements of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties.

As per report dated 14.03.2014 received from the concerned court, complainant had appeared before the Court and supported the compromise but the petitioner did not make his statement regarding compromise. Thereafter, petitioner was directed time and again to appear before the Chief Judicial Magistrate / Duty Magistrate Hoshiarpur for recording of his statement. As per report, complainant Gurbachan Singh filed complaint under Section 148, 323, 342, 452 and 506 read with Section 149 IPC against Inderjit Singh (petitioner) and others in which Inderjit

Singh opted not to appear and was ultimately declared proclaimed offender. But other accused who were tried were ultimately acquitted of the charges. Now as per another report received from the said Court, petitioner has also appeared and got his statement recorded regarding the compromise, which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter.

The Hon'ble Supreme Court in **Gold Quest International Private Ltd. vs. State of Tamil Nadu and others**, 2014(4) RCR (Criminal) 206 has held that the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.P.C read with Article 226 of the Constitution.

The Hon'ble Division Bench of this Court hold in **Sube Singh and another v. State of Haryana and another**, 2013(4) RCR (Criminal) 102 that the High Court is vested with unparallel power to quash the criminal proceedings at any stage to secure the ends of justice.

Having regard to the aforesaid and the observations made by the Full Bench of this Court in **Kulwinder Singh v. State of Punjab** reported as 2007(3) Law Herald 2225 and of Hon'ble Supreme Court in **Gian Singh v. State of Punjab** reported as 2012(4) RCR (Criminal) 543, instant petition is accepted. Consequently, Complaint No.6 of 2004 dated 21.01.2004, titled Gurbachan Singh v. Jameet Singh and others for offences

under Sections 323, 342, 506, 452, 148 and 149 IPC and all consequential

proceedings arising therefrom qua the petitioner are hereby quashed.

**21.07.2015**  
mamta

**(Mahesh Grover)**  
**Judge**