

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

**C.R.M-M-7000-2015**

**Date of Decision : 03.12.2015**

Sukhdev Singh and others

..... Petitioners

versus

State of Punjab and others

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

\*\*\*

Present : Mr. Vikas Mehsempuri, Advocate  
for the petitioners.

Mr. Ashish Sanghi, D.A.G., Punjab.

Mr. Umesh Kumar Kanwar, Advocate  
for the private respondents.

\*\*\*

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)**

This petition has been filed for quashing of FIR No.100 dated 05.12.2011 registered under Sections 452, 323, 427, 34 IPC, at Police Station Bhadson, District Patiala and judgment dated 26.05.2014 and all subsequent proceedings arising therefrom on the basis of compromise between the parties.

On 09.07.2015 the following order was passed:-

*“Since the trial is already over and the appeal is pending for 23.07.2015, parties are directed to appear before*

*learned Appellate Court on 23.07.2015 for recording their statements regarding compromise. The said Court, after recording their statements, shall send a report regarding genuineness of the compromise alongwith statements of the parties, to this Court before the next date of hearing.*

*Adjourned to 03.12.2015.”*

Thereafter, the report of the Additional District & Sessions Judge, Patiala dated 24.07.2015 has been received whereby he has mentioned that the aforesaid parties has appeared before him and has attested to the fact that a compromise has indeed taken place and that the compromise has been executed voluntarily and without any pressure.

Learned counsel for the petitioners has argued that since the offences with which the petitioners were charged, convicted and sentenced are compoundable and the parties have entered into a compromise, he prays that necessary permission be granted to compound the offences. He has also relied upon a decision of the Hon'ble Supreme Court in the case of ***Sube Singh and another vs. State of Haryana and another, 2013(4) R.C.R (Criminal) 102***, where it has been held that the High Court can quash the proceedings even after order of conviction. He has also referred to a decision of this Court in ***CRM-M-33563 of 2013, Mohinder Singh and another vs. State of Punjab and others***, whereby this Court has quashed criminal complaint and order of conviction on the basis of compromise.

Learned counsel for the private respondents states that the matter has been compromised and he has no objection if the judgment/order of conviction and sentence are set aside.

In view of the above judicial pronouncements and facts, I am of

the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

Consequently, this petition is allowed and the parties are allowed to compound the offence under Sections 452, 323, 427, 34 IPC and all consequential proceedings arising therefrom are quashed qua petitioners.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

**December 03, 2015**

*ashish*

**( AJAY TEWARI )  
JUDGE**