

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

***Date of Decision: 24.10.2017***

CRM-M-42588-2016

Bhajan Lal and others

.....Petitioners

Versus

*State of Punjab and others*

.....Respondents

CRM-M -42810-2016

*Gurmeet Singh @ Meeta and others*

.....Petitioners

Versus

*State of Punjab and others*

.....Respondents

***Coram: Hon'ble Mr. Justice Arvind Singh Sangwan***

***Present:***Mr.Ramesh Sharma, Advocate for the petitioners and  
for respondents No. 2 to 4 in CRM-M-42810-2016.

Ms.Rajni Gupta, Senior Deputy Advocate  
General, Punjab

Mr.B.S.Jaswal,Advocate for respondents No.2 and 3  
and for the petitioners in CRM-M-42810-2016.

**\*\***

**Arvind Singh Sangwan, J.**

This order will dispose of above mentioned two petitions i.e.

CRM-M-42588-2016 and CRM-M-42810-2016. In both the petitions,

petitioners are seeking quashing of FIR No. 213 dated 18.12.2015, under

Sections 452, 323, 427, 148 and 149 of the Indian Penal Code, 1860 ('IPC' for short), (Annexure P1) and cross case registered on the statement of Ramanpreet Kaur @ Nisha (Annexure P2) under Sections 357, 323, 506 and 149 IPC, both registered at Police Station Mehatpur, District Jalandhar along with all consequential proceedings arising therefrom on the basis of compromise .

In CRM-M-42588-2016, on 3.8.2017, a direction was given to the trial Court/Illaq Magistrate to record the statements of the parties and submit a report qua the genuineness of the compromise effected between the parties and to intimate whether any accused is proclaimed offender.

In pursuance thereof, the trial Court (in both the cases), after recording the statements of the parties, has submitted a report on 1.9.2017 (forwarded by District and Sessions Judge, Jalandhar on 6.9.2017 ) that both the complainants and accused, Ranjit Singh @ Tiddu @ Baggi (complainant in CRM-M-42588-2016) and Ninder, Reeta, Chindo, Parveen, Bhajan Lal, Kears, Amarjit, Ramanpreet Kaur @ Nisha (Complainant of cross version in the same FIR) have appeared along with their respective counsel, who had identified them and got their statements recorded acknowledging that the compromise had been effected voluntarily, without any coercion or any undue influence and no proclamation proceedings are pending against the accused. It is further submitted by the trial Court that total eight accused were involved against whom FIR No.213 was registered and Ranjit Singh was the complainant and in the cross-case, there were four accused and Ramanpreet Kaur @ Nisha was the complainant. This fact is

not disputed by learned State Counsel, who has submitted, on instructions from Sub Inspector-Jatender Kumar that all the petitioners-accused are not the proclaimed offenders.

As per the Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052**, High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the prosecution where the High Court felt that the same was required to prevent the abuse of the process of any Court or to otherwise secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 of the Code. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court of India in “**Gian Singh vs State of Punjab and another**”, **2012(4) R.C.R. (Criminal) 543** and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

Since the parties have arrived at a compromise and have decided to live in peace, no useful purpose would be served in allowing the criminal proceedings to continue.

Accordingly, both the above-mentioned petitions are allowed.

FIR No. 213 dated 18.12.2015, under Sections 452, 323, 427, 148 and 149

IPC and cross case registered on the statement of Ramanpreet Kaur @ Nisha under Section 357, 323, 506 and 149 IPC, registered at Police Station Mehatpur, District Jalandhar along with all the consequential proceedings, arising therefrom, are ordered to be quashed qua the petitioners.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**October 24, 2017**  
arya

Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No