

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30767-2016 (O&M)
Date of Decision :- 19.04.2018

Satnam Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Petitioners in person with
Mr. D.S. Randhawa, Advocate,
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Prabhjot Singh, Advocate,
for respondent No.2-complainant.

H.S. MADAAN, J. (ORAL)

CRM-13707-2018

This is an application for impleading the applicants as petitioners
No.2 to 4 in the main case.

Heard.

Allowed.

Amended memo of parties placed on file.

Application is allowed.

CRM-M-30767-2016

All the petitioners are present in Court.

Statement of Satnam Singh-petitioner No.1 has also been recorded.

However, he has appeared and admitted the factum of compromise between the
parties, so as newly added petitioners No.2 to 4, namely Narinder Singh Gill,

Jaspuneet Singh and Varinder Pal Singh, who have furnished affidavit in that regard.

Mr. Prabhjot Singh, Advocate, had appeared on behalf of complainant also states that the matter has since been compromised between the parties, as such he has no objection if the FIR in question is quashed by this Court. There is nothing on record to doubt the genuineness of the compromise so arrived at between the parties.

I have heard learned counsel for the petitioners and learned State counsel, besides going through the record.

The dispute between the parties has been resolved amicably, which appears to have been arrived at between them voluntarily without any threat or coercion and in terms of ratio of the authority reported as **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, where in para 28, it has been held as under :-

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Cr.P.C. is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “*finest hour of justice*”.”

It has been observed that High Court has power to quash prosecution in order to achieve ends of justice and to prevent abuse of process of law. Though such powers are unlimited but those are to be exercised sparingly and with utmost care and caution. Though there is no statutory bar which can effect the inherent power of High Court under Section 482 Cr.P.C.

The compromise is in interest of peace and tranquility in the society and for such like reasons this Court can quash the FIR and ancillary proceedings exercising power under Section 482 Cr.P.C., it appears to be a fit case to exercise such powers.

Accordingly, the petition is allowed and the abovesaid FIR alongwith ancillary proceedings are hereby quashed.

(H.S. MADAAN)
JUDGE

19.04.2018
Dinesh

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