

225(1)

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

1. CRM-M-19193-2020(O&M)

SUKHVIR SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

2. CRM-M-31057-2020(O&M)

RANVIR SINGH AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

Date of decision: 27.10.2020

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Gurcharan Dass and
Mr. Vivek Sharma Vashisht, Advocates for the petitioners
in both the petitions.
Ms. Samina Dhir, DAG, Punjab
Mr. M.S.Rana, Advocate for respondent no.2 in CRM-M-
19193-2020 and for respondent no. 2 to 4 in
CRM-M-31057-2020

ANIL KSHETARPAL, J. (ORAL)

By this order, two criminal petitions i.e CRM-M-19193-
2020 and CRM-M-31057-2020, shall stand disposed of.

The petitioners (in both petitions) have approached this
Court by way of instant petition under Section 482 of the Code of
Criminal Procedure (for short 'Cr.P.C.'), invoking its inherent
jurisdiction for quashing of FIR No.300, dated 3.12.2012, registered
under Section 323, 341, 506, 427, 148, 149 IPC at Police Station

Jodhewal, District Ludhiana and all the consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion was issued.

In compliance of the order dated 6.10.2020, passed by this Court, the parties got their statements recorded before the learned trial court. Consequently, a report dated 22.10.2020, along with copy of compromise sent by the learned Additional Sessions Judge, Ludhiana, has been received which is available on record of the case along with the statements of the parties. Learned Additional Sessions Judge, Ludhiana, has reported that the parties have made their statements voluntarily and without any pressure. Respondent no.2- Ashok Kumar @ Shoki (in both the petitions) has made a statement admitting the settlement. Respondent no. 3 to 5 in CRM-M-31057-2020 are accused in a criminal complaint filed by Amanpreet Singh. Hence, they are not a party to this FIR. The compromise, arrived at between the parties, has been found to be a genuine one and is not a result of any pressure or coercion.

Learned counsel, for the petitioner as well as respondent no.2, have jointly stated that the parties have settled their dispute.

After hearing the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of Court settlement by way of

compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of the process of law.

For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, approved by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*,

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.300, dated 3.12.2012 registered under Section 323, 341, 506, 427, 148, 149 IPC at Police Station Jodhewal, District Ludhiana, and the consequential proceedings arising therefrom are hereby quashed, however, qua the petitioners in both the petitions only.

Resultantly, with the above-said observations made, both the petitions stand allowed.

27.10.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No