

(229-2)

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

**CRM-M-31935-2020
Date of decision: 19.11.2020**

Karamjit Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present :- Mr. Harjinder Pal Singh, Advocate for
Mr. D.S.Malwai, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Ripudaman Singh Sidhu , Advocate
for respondents No.2 & 3.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The instant petition has been filed for quashing of FIR No.108 dated 20.07.2019 (Annexure P-1) registered under Sections 324, 323, 148, 149 of Indian Penal Code, 1860 and Sections 452, 326 and 450 of Indian Penal Code, 1860 (added later on) at Police Station Amargarh, District Sangrur, on the basis of compromise dated 18.09.2020 arrived at between the parties alongwith all subsequent proceedings arising therefrom.

Vide order dated 13.10.2020, the parties were directed to appear before the Duty Magistrate/Illaq Magistrate to get their statements recorded regarding the compromise and a report was called for from the Court.

After recording the statements of the accused-petitioners and complainant-private respondents, the Judicial Magistrate Ist Class, Malerkotla has reported that the compromise in question is genuine, voluntary and without

accused have been declared as Proclaimed Offender and no other criminal case is pending against the accused.

Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and another*, 2012(4) RCR (Criminal) 543 has held that the High Court has wide power under Section 482 of the Code of Criminal Procedure to quash an FIR or complaint having predominantly civil flavour or involving matrimonial offences and family disputes wherein the wrong is basically private or personal in nature and the parties have resolved their entire dispute. The Hon'ble Full Bench of this Court in case *Kulwinder Singh vs. State of Punjab and another*, 2007(3) RCR (Criminal) 1052 and Hon'ble Division Bench of this Court in case *Sube Singh and another vs. State of Haryana and another*, 2013(4) RCR (Criminal) 102 held that compounding of offence can be allowed even after conviction, during pendency of the appeal and even in cases involving non-compoundable offences.

Counsel for the parties are also *ad idem* that in view of the settlement of the dispute between the parties, the present petition deserves to be accepted. In view of the above, no purpose will be served in continuing with the criminal proceedings.

Accordingly, the petition is allowed. FIR No.108 dated 20.07.2019 (Annexure P-1) registered under Sections 324, 323, 148, 149 of Indian Penal Code, 1860 and Sections 452, 326 and 450 of Indian Penal Code, 1860 (added later on) at Police Station Amargarh, District Sangrur and all the consequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

19.11.2020

Pardeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No