

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

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CRM-M-34437-2020

Date of decision: 09.02.2021

Kulvir Singh and another

... Petitioners

Vs.

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present :- Mr. Amit Gupta, Advocate, for the petitioners.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Vaneet Mittal, Advocate for respondent No.2.

**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.0075 dated 24.03.2020, registered under Section 420, 120-B of Indian Penal Code, 1860 and Section 24 of Immigration Act at Police Station Division No.6, Police Commissionerate, Ludhiana, on the basis of compromise deed, dated 13.10.2020 arrived at between the parties alongwith all subsequent proceedings arising therefrom.

Vide order dated 29.10.2020, the parties were directed to appear before the Illaqa Magistrate/trial Court 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 respondent, the Judicial Magistrate Ist Class, Ludhiana has reported that the compromise in question is genuine, voluntary and without any coercion or undue influence. The court has further reported that none of the accused have been declared as Proclaimed Offender and it has been further reported that no other criminal case is pending against them.

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. A Full Bench of this Court in case *Kulwinder Singh vs. State of Punjab and another*, 2007(3) RCR (Criminal) 1052 and 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 noncompoundable 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.0075 dated 24.03.2020, registered under Section 420, 120-B of Indian Penal Code, 1860 and Section 24 of Immigration Act at Police Station Division No.6,

Police Commissionerate, Ludhiana, and all the consequent proceedings arising therefrom, are quashed qua the petitioners.

09.02.2021

pooja saini

(SUVIR SEHGAL)  
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No