

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

229

CRM-M-43870-2020

Date of decision: 06.04.2021

Paramjit Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Aman Mittal, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Ms. Manpreet Kaur, 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.0006 dated 21.01.2020, registered under Section 420 of Indian Penal Code, 1860 and Section 13A of Punjab Village Common Land Regulation Act, 1961, at Police Station Sanaur Patiala, Annexure P-1, on the basis of compromise deed, dated 05.08.2020, Annexure P-2, arrived at between the parties alongwith all subsequent proceedings arising therefrom.

Vide order dated 04.01.2021, 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-petitioner and complainant-private respondent No.2, the Chief Judicial Magistrate, Patiala, has submitted the report, the relevant extract of which is as under:

“From the statements of parties, it is manifest that compromise arrived at between the parties is genuine, voluntary and a result of their own free will without any pressure, coercion or undue influence from any quarter. The compromise has been arrived at with an aim to put an end to the ensuing rivalry between the parties. There is only one complainant/victim namely Malkit Singh and only one accused namely Paramjit Singh in the present case.”

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 on the basis 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.0006 dated 21.01.2020, registered under Section 420 of Indian Penal Code, 1860 and Section 13A of Punjab Village Common Land Regulation Act, 1961, at Police Station Sanaur Patiala, Annexure P-1, and all the consequent proceedings arising therefrom, are quashed qua the petitioner.

06.04.2021

(SUVIR SEHGAL)
JUDGE

pooja saini

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No