

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-5786 of 2021

Date of Decision: 11<sup>th</sup> May, 2022

Babu Singh and others

Petitioners

Versus

State of Punjab and another

Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. RVS Chugh, Advocate for the petitioners.  
Mr. Sandeep Kumar, DAG, Punjab.  
Ms. Harpreet Kaur, Advocate for respondent No. 2.

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**AVNEESH JHINGAN, J (Oral):**

This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 35 dated 23.2.2019, under Sections 323, 324 and 34 IPC registered at Police Station Raman and all subsequent proceedings arising therefrom, on the basis of compromise dated 27.8.2019.

The FIR was registered at the instance of Lakhvir Singh @ Lakhwinder Singh. As per the allegations, the parties are neighbours. In an incident that took place on 23.2.2019, injuries were inflicted to the complainant.

The parties with the intervention of respectables have compromised the matter.

On 9.2.2021, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise dated 27.8.2019.

The report dated 10.3.2021 is received stating that the compromise is genuine, voluntary, without any coercion or undue

influence. Further that there are three accused (petitioners herein) and they have not been declared as proclaimed offender.

Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

*“There is no statutory bar in Cr.P.C. which affects inherent power of this Court under Section 482. The power of quashing is not limited to matrimonial cases alone.”*

The Supreme Court in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, 2017 AIR (SC) 4843*** laid down the broad principles governing the exercises of powers of quashing of FIR. It was held that the power under Section 482 Cr.P.C. is to be exercised by the High Court to secure the ends of justice, to prevent abuse of any process of law and in cases where in view of the compromise the possibility of conviction is remote and continuation of proceeding will cause oppression and prejudice.

The parties belong to the same village. With the intervention of friends and relatives, they have decided to forget and forgive and to save their relations to an extent possible. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. To meet the ends of justice, the FIR mentioned above and all consequential proceedings arising therefrom are quashed.

The petition is allowed.

**[AVNEESH JHINGAN]**  
**JUDGE**

**11<sup>th</sup> May, 2022**  
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1. Whether speaking/ reasoned

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Yes / No
2. Whether reportable

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Yes / No