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

**CRM-M-12055-2015 (O&M)  
Date of decision: 11.05.2022**

**Harpreet Singh**

**...Petitioner**

**Versus**

**Rameshwar Singh**

**...Respondent**

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. M.K. Dogra, Advocate  
for the petitioner.

Mr. Bhisham Kumar, Advocate for  
Ms. Natasha Munjal, Advocate  
for the respondent.

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**ARVIND SINGH SANGWAN, J.**

The petitioner has prayed for quashing of Criminal Complaint No.COMI/20600148/2008 dated 25.08.2008 for the offences punishable under Sections 406, 420, 465, 467, 468, 471 of the Indian Penal Code ('IPC' for short), titled as Rameshwar Singh Vs. Harpreet Singh and the judgment of conviction and order of sentence dated 11.06.2013, vide which the petitioner was directed to undergo imprisonment for a period of 02 years along with total fine of Rs.1,500/- and in default of payment of fine, to further undergo R.I. for one month as well as all the subsequent proceedings

arising therefrom, on the basis of compromise effected between the parties.

Learned counsel for the petitioner submits that the appeal filed by the complainant is pending before the Sessions Judge, Jalandhar and during pendency of the said appeal, the parties entered into a compromise. Learned counsel has referred to the compromise deed dated 07.02.2015, vide which respondent-complainant Rameshwar Singh and petitioner Harpreet Singh have amicably settled the dispute and the complainant has no objection, if the complaint and the judgment of conviction and order of sentence are set aside and the petitioner is acquitted.

It is worth noticing that this petition is pending since 2015 and vide order dated 14.10.2015, passing of the final order in the appeal was directed to be stayed. Thereafter, vide order dated 14.11.2017, a direction was issued to the parties to appear before the trial Court for recording their statements in support of the compromise.

The trial Court submitted a report dated 21.12.2017 and in the statement, complainant Rameshwar Singh stated that he filed the complaint, in which the trial Court convicted petitioner Harpreet Singh on 11.06.2013 and as per compromise Ex.C1, the matter has been amicably settled between the parties and the complainant has no objection, if the present petition is allowed and proceedings in pursuance of the impugned complaint are quashed. Similar is the statement of petitioner Harpreet Singh. On the basis of same, the trial Court recorded its satisfaction that compromise is genuine and is not an outcome of any pressure or coercion on the complainant and in

view of settlement between the parties, there is no adverse effect on right of any of third party, as the dispute is between the respondent-complainant and petitioner-accused.

Learned counsel for the petitioner has referred to a judgment of the Hon'ble Supreme Court in **Criminal Appeal No.242 of 2014 (Dasan Vs. State of Kerala and anr.)**, decided on 27.01.2014, wherein considering the fact that litigation is going on between the parties for the last so many years and the complainant made a statement that a valid compromise is effected between the parties and they want to bury their dispute, permission was granted to compound the offence, while setting aside the judgment of conviction. Learned counsel has further relied upon another judgment of the Hon'ble Supreme Court in **K. Subramanian Vs. R. Rajathi rep. by POA P. Kaliappan, 2010 (1) RCR (Crl.) 184**, wherein, in similar circumstances, on the basis of compromise, conviction was set aside.

Learned counsel has also relied upon a Division Bench judgment of this Court in **Sube Singh and another Vs. State of Haryana and another, 2013 (4) RCR (Crl.) 102**, wherein, on the basis of compromise, during pendency of an appeal against judgment of conviction, pending in the Court of Sessions, compounding of offence was allowed.

Learned counsel for the respondent-complainant has reiterated that the matter has been amicably settled between the parties and the complainant has no objection, if the offences are compounded.

In view of what has been discussed hereinabove, present petition is allowed and Criminal Complaint No.COMI/20600148/2008 dated 25.08.2008 under Sections 406, 420, 465, 467, 468, 471 IPC, titled as Rameshwar Singh Vs. Harpreet Singh and the judgment of conviction and order of sentence dated 11.06.2013 as well as all the subsequent proceedings arising therefrom are ordered to be quashed.

[ ARVIND SINGH SANGWAN ]  
JUDGE

11.05.2022  
*vishnu*

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable:       | Yes/No |