

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

CRM-M-23730-2021

Date of Decision:-30.08.2022

Kuldeep Singh & Ors.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Amandeep Singh Jawanda, Advocate for the Petitioners.

Mr. Ravinder Singh, Assistant Advocate General, Punjab.

Mr. Deepak K. Bartia, Advocate for
Mr. Anantdeep Singh Sandhu, Advocate for
respondent nos.2 & 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.70 dated 22.06.2009 (Annexure P-1) under Sections 326, 323, 324, 506, 148, 149 IPC registered at Police Station Bhadson, District Patiala and all consequential proceedings as well as Judgment and Conviction Order dated 29.01.2018 (Annexure P-3) passed by Id. JMIC Nabha, on the basis of compromise dated 15.02.2021 (Annexure P-12) arrived at between the parties.

Vide order dated 05.04.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 05.04.2022 with regard to the compromise dated 15.02.2021 (P-12).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 05.04.2022 passed by this Court, the parties have appeared before Ms. Ankita Mittal, Judicial Magistrate Ist Class, Nabha and as per the report dated 19.05.2022 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence.

The Hon'ble Supreme Court in "***Ramgopal and another versus State of Madhya Pradesh, 2021(4) RCR (Criminal) 322***", has held that in non-compoundable cases of pre-dominantly private nature, even if compromise is reached after conviction, the proceedings can be quashed under Section 482 Cr.P.C. Further, the compromise in the present case is found to be fully in consonance of judgments with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012 (4) RCR (Crl.) 543***".

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Nabha accompanied by statements of both the parties, the FIR No.70 dated 22.06.2009 (Annexure P-1) under Sections 326, 323, 324, 506, 148, 149 IPC registered at Police Station Bhadson, District Patiala along with all consequential proceedings arising therefrom including the appeal proceedings pending qua the judgment of conviction before ASJ, Patiala (First Appellate Court) are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 30, 2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>