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

CRM-M-20580-2021

Date of Decision:-27.09.2022

MOHD. ANWAR AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. S.K. Singla, Advocate for the petitioners.

Mr. Jaiteshwar Singh, Asst. A.G., Punjab.

Mr. Mahipal Yadav, Advocate for respondent No.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of an FIR No.13 dated 22.02.2014 (Annexure P-1) registered under Sections 323, 341, 342, 506 and 149 of the IPC (Sections 341, 342, 149 IPC deleted and Sections 365 and 34 IPC added later on) at Police Station City-II, Malerkotla, District Sangrur and subsequent proceedings as well as Judgment and Conviction Order dated 29.07.2019 (Annexure P-2) passed by Id. JMIC Dhuri, on the basis of compromise dated 08.04.2021 (Annexure P-3) arrived at between the parties.

Vide order dated 23.11.2021 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 23.11.2021 with regard to the compromise dated 08.04.2021 (P-3).

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 23.11.2021 passed by this Court, the parties have appeared before the learned Judicial Magistrate 1st Class, Dhuri and as per the report dated 03.01.2022 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 1st Class, Dhuri accompanied by statements of both the parties, the FIR No.13 dated 22.02.2014 (Annexure P-1) registered under Sections 323, 341, 342, 506 and 149 of the IPC (Sections 341, 342, 149 IPC deleted and Sections 365 and 34 IPC added later on) at Police Station City-II, Malerkotla, District Sangrur and subsequent proceedings as well as Judgment and Conviction Order dated 29.07.2019 (Annexure P-2) passed by Id. JMIC Dhuri, are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

September 27, 2022

Jitesh

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