

**(249) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-16729-2019
Date of decision :.09.052022

Kulwinder Singh

... Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Shikha Khullar, Advocate for
Mr. J.S. Jaidka, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, Asst. AG, Punjab.

Mr. Harinder Lal Singh, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.135 dated 17.12.2013 (Annexure P-2) registered under Sections 324, 323, 341, 506 and 325 IPC at Police Station Jodhan District Ludhiana and judgment of conviction dated 09.06.2017 (Annexure P-3) along with all consequential proceedings arising therefrom on the basis of a compromise dated 06.04.2019 (Annexure P-1) arrived at between the parties.

Vide order dated 11.04.2019 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 11.04.2019 with regard to the compromise dated 06.04.2019 (P-1).

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 11.04.2019 passed by this Court, the parties have appeared before the learned Additional Sessions Judge, Ludhiana and as per the report dated 22.05.2019 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 Addl. Sessions Judge, Ludhiana accompanied by statements of both the parties, the FIR No.135 dated 17.12.2013 (Annexure P-2) registered under Sections 324, 323, 341, 506 and 325 IPC at Police Station Jodhan District Ludhiana along with all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

09.05.2022
JITESH

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