

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24220-2022

Date of Decision: 15.07.2022

Sandeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. H.S. Dhandi, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Simranjeet Singh, Advocate for respondent No.2.

AVNEESH JHINGAN , J.(Oral)

[1] This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 39, dated 18.5.2014, under Sections 307/324/323/341/506/34 IPC (later on deleted Section 307 IPC), registered at Police Station Koom Kalan, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 20.5.2022.

[2] Brief facts are that the FIR was registered on the statement of Rabinder. As per the allegations, an incident took place on 18.5.2014. The petitioner and Amritpal inflicted injuries to the complainant. There was grudge between the parties with regard to election of Sarpanch.

[3] The parties with the intervention of respectables have compromised the matter. The petitioner approached this Court for quashing of the FIR on the basis of the compromise.

[4] On 30.5.2022, the parties were directed to appear before the

regard to compromise.

[5] The report dated 5.7.2022 is received from the Trial Court stating therein that compromise is voluntary, without any pressure, coercion or undue influence. Further, accused Amritpal has been declared as proclaimed offender on 1.12.2021 by the Court in present case.

[6] Learned counsel for the complainant submits that the accused Amritpal is not traceable and as per instructions received by him, the complainant is not pressing allegations against him.

[7] 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.”

[8] 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.

[9] The parties are from the same village and have bridged their differences. With the intervention of friends and relatives, they have decided to proceed ahead rather than indulging in litigation. No useful purpose would be served by continuing with the trial. To meet the ends of justice, the FIR mentioned above and all consequential proceedings arising

therefrom are quashed.

[10] The petition is allowed.

(AVNEESH JHINGAN)
JUDGE

15th July, 2022
anuradha

Whether reasoned/speaking	Yes
Whether reportable	Yes