

CRM-M-25039 of 2020

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

CRM-M-25039 of 2020  
Date of Decision: 28.09.2022

Malkit Singh

.... Petitioner

Versus

State of Punjab and another

.... Respondents

**CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: - Mr. Kulwinder Singh, Advocate,  
for Mr. M.S. Bajwa, Advocate, for the petitioner.  
Mr. Amish Sharma, Assistant Advocate General, Punjab.  
Mr. J.S. Mahal, Advocate, for respondent No.2.

**ASHOK KUMAR VERMA, J. (ORAL)**

The petitioner has filed the present petition under Section 482 Cr.P.C., for quashing FIR No.0017 dated 22.01.2019 registered under Sections 279, 427, 337, 338 IPC at Police Station Division-B, District Police Commissionerate, Amritsar, and all consequential proceedings arising therefrom on the basis of compromise dated 12.03.2020 (Annexure P-2) arrived at between the parties.

Pursuant to the order dated 18.11.2021 passed by this Court the parties appeared before the Judicial Magistrate Ist Class, Amritsar, to get their statements recorded. Learned Judicial Magistrate Ist Class, Amritsar, has submitted his report along with statements of the parties vide letter No.819 dated 09.12.2021 duly forwarded by the District and Sessions Judge, Amritsar, vide Endst. No.12368R dated 13.12.2021.

I have heard learned counsel for the petitioners, learned State

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counsel and learned counsel for respondent No.2 and gone through the relevant record.

It is now well settled that the High Court has inherent power to quash the criminal proceedings in non-compoundable cases on the basis of settlement between the parties for securing the ends of justice or to prevent abuse of the process where the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case. Criminal cases having overwhelmingly and predominantly civil character particularly those arising out of commercial transaction or arising out of matrimonial relationship or family dispute can be quashed when the parties have resolved their entire dispute among themselves. However, such power cannot be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape dacoity, etc. which are not private in nature and have a serious impact on society. Similarly, prosecution for offences alleged to have been committed under special enactments like the Prevention of Corruption Act or the offences committed by public servant while working in that capacity cannot be quashed on the basis of compromise between the victim and the offender. For judicial precedents in this regard, reference may be made to *Narinder Singh Vs. State of Punjab (Supreme Court) : 2014 (2) RCR (Criminal) 482*, *State of Madhya Pradesh Vs. Laxmi Narayan and others (Supreme Court) : 2019 (2) RCR (Criminal) 255*

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and *Kulwinder Singh and others Vs. State of Punjab and others*  
*(Punjab and Haryana High Court) : 2007 (3) RCR (Criminal) 1052.*

According to the reports, learned Judicial Magistrate Ist Class, Amritsar, is satisfied that parties have compromised the matter without any pressure, duress, inducement and threat of any kind from any corner voluntarily with their free will.

Considering the reports of learned Judicial Magistrate Ist Class, Amritsar, dated 09.12.2021 and the fact that the compromise will bring peace and harmony between the parties, aforesaid FIR No.0017 dated 22.01.2019 and all subsequent proceedings arising therefrom, are quashed, qua the petitioner only.

Disposed of, accordingly.

**September 28, 2022**  
R.S.

**(ASHOK KUMAR VERMA)**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No