

CRM-M-27156 of 2019

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

CRM-M-27156 of 2019 (O&M)  
Date of Decision: 27.09.2022

Rajbir Singh and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

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

Present: - Mr. Rajinder Sharma, Advocate, for the petitioners.  
Mr. Amish Sharma, Assistant Advocate General, Punjab.  
Mr. Deepak Sharma, Advocate, for respondent No.2.

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

The petitioners have filed the present petition under Section 482 Cr.P.C., for quashing FIR No.0092 dated 04.04.2019 registered under Sections 326/323/324/506/148/149 IPC at Police Station Jandiala, District Amritsar, on basis of compromise dated 14.05.2019 (Annexure P-3).

Pursuant to the order dated 25.07.2019 passed by a co-ordinate Bench of 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 her report along with statements of the parties vide letter No.322 dated 18.09.2019 duly forwarded by the District and Sessions Judge, Amritsar, vide Endst. No.8697 dated 20.09.2019. Judicial Magistrate Ist Class, Amritsar, has also submitted supplementary report vide letter No.345 dated 11.10.2019

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duly forwarded by District and Sessions Judge, Amritsar, vide Endst. No.9448R dated 16.10.2019 mentioning therein that complainant has compromised the matter with all the accused except accused Rana, resident of Indra Colony, Amritsar, who had not appeared in the Court for recording his statement regarding compromise.

I have heard learned counsel for the petitioners, learned counsel for respondent No.2 and learned State counsel 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

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

According to the report, learned Judicial Magistrate Ist Class, Amritsar, is satisfied that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Considering the reports of learned Judicial Magistrate Ist Class, Amritsar, dated 18.09.2019 and 11.10.2019 and the fact that the compromise will bring peace and harmony between the parties, aforesaid FIR No.0092 dated 04.04.2019 and all subsequent proceedings arising therefrom, are quashed, qua the petitioners only.

Disposed of, accordingly.

September 27, 2022  
R.S.

(ASHOK KUMAR VERMA)  
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No