

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

259

**CRM-M-38368-2022  
Date of Decision : 02.11.2022**

Lakhmi Chand and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

Present : None.

\*\*\*\*

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

Lawyers are abstaining from work today.

The petitioners have filed the present petition under Section 482 of the Cr.P.C. for quashing of FIR No.124 dated 10.04.2014 registered under Sections 148, 149, 323, 325 and 506 of the Indian Penal Code, 1860 at Police Station City Narnaul, District Mahendergarh (**Annexure P-1**) and all consequential proceedings arising therefrom on the basis of compromise dated 10.08.2022 (**Annexures P-4**) effected between the private parties.

Pursuant to order dated 26.08.2022 passed by this Court, the private parties appeared before learned Judicial Magistrate First Class, Narnaul to get their statements recorded. Learned Judicial Magistrate First Class, Narnaul submitted her report along with copies of statements of the parties vide letter dated 20.09.2022 through learned District and Sessions Judge, Narnaul which is taken on record.

According to the report, learned Judicial Magistrate First Class, Narnaul is satisfied that compromise effected between the parties is genuine, outcome of free consent of the parties and is without coercion from any quarter.

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 ***Gian Singh Vs. State of Punjab and another : 2012(4) RCR Criminal) 543, 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.***

In the present case, the petitioners have already been convicted by learned Judicial Magistrate First Class, Narnaul vide judgment of conviction and order of sentence dated 14.06.2019 and 15.06.2019, respectively. Hon'ble Division Bench of this Court in case ***Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102*** held that even after conviction, if the parties have settled the dispute amicably and have decided to live in peace and harmony, this Court, in exercise of powers under Section 482 Cr.P.C, can compound the offence.

Keeping in view the report dated 20.09.2022 of learned Judicial Magistrate First Class, Narnaul, the fact that the petitioners are not involved in any other case and also the fact that the compromise will bring peace and harmony between the parties as well as in view of the law laid down by the Hon'ble Division Bench of this Court in ***Sube***

*Singh and another's case (supra)*, the aforesaid FIR No.124 dated 10.04.2014 (**Annexure P-1**) and all subsequent proceedings arising therefrom are quashed, qua the petitioners only.

The present petition is disposed of accordingly.

**02.11.2022**

Kothiyal

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

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