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

CRM-M-53165-2021

Decided on: 21st February, 2022

Angrez Singh and others

Petitioners

Versus

State of Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Shubham Goyal, Advocate for the petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Piyush Sethia, Advocate for the respondent No.2.

AVNEESH JHINGAN, J (Oral):

[1] Due to COVID-19 situation, the Court is convened through video conference.

[2] This petition under Section 482 Cr.P.C. is filed seeking quashing of FIR No. 12, dated 15th February, 2021 under Sections 323, 324, 326, 452 and 34 IPC, registered at Police Station Sarai Amant Khan, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise.

[3] The FIR was got registered at the instance of Amarjit Kaur. It was alleged that on 14th December, 2020 while she was returning after paying obeisance, Angrez Singh obstructed her way in front of his house. On hearing the noise, husband and son of the complainant came

on the spot, there was an altercation and complainant party sustained injuries on the non-vital parts. There was attempt to compromise the matter but on failure, FIR was registered.

[4] The parties are from the same village and with the intervention of respectables have compromised the matter.

[5] On 20th December 2021 the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to the compromise.

[6] The report dated 4th February, 2022 is received from Judicial Magistrate 1st Class, Tarn Taran. It is stated therein that there are three accused and none of them has been declared proclaimed offender. The compromise is genuine, voluntary and without any coercion or undue influence.

[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 dispute was with regard to passage. The parties are from the same locality and have bridged their differences. With the intervention of respectables, they have decided to proceed ahead rather than indulging in litigation. No useful purpose would be served by continuing with the trial as there are bleak chances of conviction. 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

21st February, 2022
pankaj baweja

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |