

236 IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-54251-2021

Decided on: 21<sup>st</sup> February, 2022

Jasndeeep Singh @ Jassi and others

Petitioners

Versus

State of Punjab and another

Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. J.S. Warring, Advocate for the petitioners.  
Mr. Sandeep Kumar, Deputy Advocate General, Punjab.  
MR. Ashok Kumar, Advocate for respondent No.2.

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**AVNEESH JHINGAN, J (Oral):**

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 108, dated 2<sup>nd</sup> November, 2021, under Sections 323, 452, 427, 506, 148 and 149 of Indian Penal Code, 1860, registered at Police Station Raman, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 29<sup>th</sup> November, 2021.
3. The FIR got registered by Banpreet Singh-complainant. It was alleged that in an incident that took place on 30<sup>th</sup> October, 2021, accused (petitioners) armed with sticks, *Gandasa*, damaged the main gate of the house of the complainant, broke the cameras and jeep standing outside the house was damaged. The complainant sustained injuries.
4. The parties with the intervention of respectables have compromised the matter.

5. On 23<sup>rd</sup> December, 2021, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise dated 29<sup>th</sup> November, 2021.

6. The report dated 19<sup>th</sup> January, 2021 is received, the relevant part is as below:

*“ xxxx It is further submitted that in the present FIR none of the accused were declared proclaimed offender.*

*It is further submitted that as per the statements of the parties the compromise effected between the parties is genuine, voluntary and without any pressure, 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 cause of the incident was that there was a dispute with

regard to purchase of land by father of complainant from Gurmeet Singh, which was compromised in the Panchayat but settlement could not mature. The dispute has been sorted out and there is bleak chances of conviction. The parties are from the same village and have bridged their differences, 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**

**21<sup>st</sup> February, 2022**  
*Parveen Sharma*

|                               |   |         |
|-------------------------------|---|---------|
| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable         | : | Yes /No |