

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

CRM-M-903-2022

Date of Decision: 27th May, 2022

Manpreet Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Sudhir Rana, Advocate for the petitioners.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Vishal Singh, Advocate for respondent No.2.

AVNEESH JHINGAN , J.(Oral)

1. This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 17, dated 10th February, 2021, under Section 323, 324, 341 and 506 IPC, 1860, registered at Police Station Sadar, District Hoshiarpur, on the basis of compromise.

2. The FIR was registered at the instance of Mamneet Raju. As per the allegations, on 7th February, 2021, an incident took place due to a road rage in which complainant suffered injuries.

3. The parties with the intervention of respectables have compromised the matter.

4. On 1st February, 2022, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise dated 24th February, 2021.

5. The report dated 1st April, 2022 is received, the relevant part is as below:

*“ a volunteer and genuine compromise has been arrived at
between Mamneet @ Mamneet Raju complainant and*

Manpreet Singh and Madan Lal accused persons.”

6. 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.”

7. 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.

8. Better sense has prevailed and with the intervention of friends and relatives, parties have decided to proceed ahead in life 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.

9. The petition is allowed.

**(AVNEESH JHINGAN)
JUDGE**

27th May, 2022

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No