

**(251) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRR-165-2019 (O&M)
Date of Decision: 20.09.2022**

AMAR CHAND

... Petitioner

Versus

STATE OF HARYANA & ANR.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ram Bilas Gupta, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, Asstt. A.G., Haryana.

Mr. Lalit Kumar Gupta, for respondent No.2.

JASJIT SINGH BEDI, J.

The present revision petition has been filed against the judgment dated 30.10.2018 passed by the learned Additional Sessions Judge, Sessions Court, Faridabad vide which the appeal preferred by the petitioner against the judgment of conviction and order of sentence dated 02.11.2017 passed by the learned Judicial Magistrate, 1st Class, Faridabad, has been dismissed.

2. The brief facts of the case are that the petitioner was convicted and sentenced in FIR No.90 dated 03.06.2013 registered under Sections 419 and 34 IPC at Police Station Chhainsa, Faridabad vide judgment dated 02.11.2017 passed by the Court of learned Judicial Magistrate, 1st Class, Faridabad for having committed an offence under Sections 417, 468, 471 IPC.

3. Aggrieved against the said judgment of conviction and order of sentence, the petitioner preferred an appeal before the learned Additional Sessions Judge, Sessions Court, Faridabad which came to be dismissed on 30.10.2018.

4. Still aggrieved, the present revision petition has been preferred by the petitioner. During the pendency of the present criminal revision petition, a compromise has been arrived at between the parties, which has been placed on record as Annexure P-3.

5. Based on the compromise, the petitioner has now sought quashing of the judgment dated 30.10.2018 passed by the learned Additional Session, Sessions Court, Faridabad and judgment of conviction and order of sentence dated 02.11.2017 passed by the learned Judicial Magistrate, 1st Class, Faridabad.

6. On the other hand, the learned State counsel contends that the offences for which the petitioner has been convicted cannot be compounded. He however, does not dispute the factum of compromise has been arrived at between the parties.

7. The learned counsel for the complainant-respondent has accepted the factum of compromise and has stated that he has no objection if the petitioner is acquitted of the charges framed against him.

8. I have heard the learned counsel for both the parties at length.

9. Admittedly, a compromise has been effected during the pendency of the present revision petition. The Hon'ble Supreme Court in the case of **Ramgopal Versus State State of Madhya Pradesh, 2021(4) R.C.R. (Criminal) 322** has held that in non-compoundable criminal cases which are

predominantly private in nature proceedings can be quashed, even if the compromise is arrived at after conviction. Similar is the position enumerated in the case of *Gurjit Singh Versus State of Punjab, 2020(4) R.C.R. (Criminal) 549* and *Nepal Singh & others Versus State of Haryana & another passed in CRM-M-4887-2022, decided on 25.04.2022.*

10. In view of the above, invoking the inherent powers of this Court under Section 482 Cr.P.C., I deem it appropriate to quash FIR No.90 dated 03.06.2013, judgment dated 30.10.2018 passed by the learned Additional Sessions Judge, Faridabad and judgment of conviction and order of sentence dated 02.11.2017 passed the learned Judicial Magistrate, 1st Class, Faridabad, in the interest of justice.

(JASJIT SINGH BEDI)
JUDGE

20.09.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No