

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

Date of decision: 12th July, 2023

(1) CRM-M-2409 of 2023

Rajdeep Singh @ Rajdeep Singh Riar and another

...Petitioners

Versus

State of Punjab and another

...Respondents

(2) CRM-M-2481 of 2023

Karanjot Singh @ Karanjot Singh Baidwan and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. MJS Bedi, Advocate for the petitioners in
CRM-M -2409 of 2023 and for respondent No. 2 in
CRMM-2481 of 2023.

Mr. Bhanu Partap, Advocate for the petitioners in
CRM-M-2481 of 2023 and for respondent No. 2 in
CRM-M-2409 of 2023.

Ms. Navreet Kaur Barnala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. These petitions under Section 482 of Code of Criminal Procedure are filed seeking quashing of DDR No. 29 dated 10.12.2022, under Sections 323, 341, 506 and 149 IPC and FIR No. 181 dated 9.12.2022, under Sections 323, 325, 148 and 149 IPC, registered at Police Station, Punjab Agriculture University, District Police Commissionerate, Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise.

2. Rajdeep Singh got registered an FIR alleging that on 5.12.2022, a scuffle took place in which both the parties inflicted injuries to each other. The cross-version of the incident was reported by Karampal Singh.

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

4. On 17.1.2023, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.

5. The report dated 24.2.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence. Further that none of the accused in these petitions has been declared as proclaimed offender.

6. Learned counsel for the State submits that cancellation report has also been prepared in the case.

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 exercise of power for 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 parties are students and from the same locality. With the intervention of friends and relatives, the parties have decided to forget and forgive and to save their relations to an extent possible. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. To meet the ends of justice, the DDR and FIR

mentioned above and all consequential proceedings arising therefrom are quashed.

[AVNEESH JHINGAN]
JUDGE

12th July, 2023
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