

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRA-S-5367-SB-2014****Date of decision :15.03.2023****HARPAL SINGH & ORS****... Petitioner(s)****Versus****STATE OF HARYANA****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Raghav Sharma, Advocate
for the appellants.

Ms. Navreet Kaur Barnala, Asstt. A.G., Punjab.

Ms. S.P.S. Sandhu, Advocate for
Mr. PBS Goraya, Advocate
for the complainant.

JASJIT SINGH BEDI, J. (ORAL)

The present appeal has been filed against the judgment of conviction and order of sentence dated 11.12.2014 passed by the Additional Sessions Judge, Kurukshetra.

The appeal came to be filed on 23.12.2014 and was admitted vide order dated 24.12.2014.

During the pendency of the instant appeal, a compromise dated 12.02.2020 (Annexure A-1 in CRM-7720-2020) has been effected between the parties.

Vide order dated 23.01.2023 this Court had directed the parties to appear before the Sessions Court, Kurukshetra for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 23.01.2023 with regard to the compromise dated 12.02.2020 (Annexure A-1 in CRM-7720-2020).

The Sessions Court, Kurukshetra was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 23.01.2023 passed by this Court, the parties have appeared before the Addl. District and Sessions Judge, Kurukshetra and as per the reports dated 23.02.2023 and 13.03.2023 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence.

The Hon'ble Supreme Court in "*Ramgopal and another versus State of Madhya Pradesh, 2021(4) RCR (Criminal) 322*", has held that in non-compoundable cases of pre-dominantly private nature, even if a compromise is reached after conviction, the proceedings can be quashed under Section 482 Cr.P.C. Further, the compromise in the present case is found to be fully in consonance of judgments with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543*".

In view of the aforesaid report of the Addl. District and Sessions Judge, Kurukshetra accompanied by statements of both the parties, by invoking this Court's inherent powers under Section 482 Cr.P.C., the FIR No.106 dated 12.06.2010 registered under Sections 148, 323, 324, 325, 326, 506 and 149 IPC and Sections 3/4 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Ladwa, Kurukshetra along with all consequential proceedings arising therefrom including the appeal proceedings pending qua the judgment of conviction dated 11.12.2014 passed by the Additional Sessions Judge, Kurukshetra are hereby quashed qua the appellants.

The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

15.03.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No