

CRM-M-12148 of 2023

[1] 2023:PHHC:087908

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

280

CRM-M-12148 of 2023
Date of decision:13.07.2023

Arpit Shrivastava

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ritesh Aggarwal, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Pankaj Bains, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short “the Code”) for quashing of FIR No.747 dated 07.10.2020 registered for offences under Sections 406, 420 of Indian Penal Code, 1860 and Section 24 of Immigration Act, at Police Station Karnal Sadar, District Karnal (Annexure P-1) on the basis of compromise dated 01.11.2022 (Annexure P-2).

2. Pursuant to order dated 13.03.2023 passed by this Court, report has been received from the Trial Court and its relevant extract is as under:-

“a) As per police report, as referred above, undersigned is of the view that accused namely Arpit Shrivastava is the only

accused in the present case;

b) As per police report, none of the accused was declared as proclaimed offender at any stage of trial; &

c) As per police report, no other criminal case is pending against any of the accused.

d) Undersigned recorded the statements of parties with regard to the compromise and as per statements of the parties, undersigned opined the veracity of the compromise effected between the parties.

3. Supreme Court in **Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543** has held that the High Court has wide power under Section 482 of the Code to quash an FIR or complaint having predominantly civil flavour or involving matrimonial offences and family disputes wherein the wrong is basically private or personal in nature and the parties have resolved their entire dispute. A Full Bench of this Court in case **Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052** and Division Bench of this Court in case **Sube Singh and another vs. State of Haryana and another, 2013(4) RCR (Criminal) 102** has held that compounding of offence can be allowed even after conviction, during pendency of the appeal and even in cases involving non-compoundable offences.

4. Counsel for the private parties are also ad idem that in view of the settlement of the dispute between the parties, the present petition deserves to be accepted. In view of the above, no purpose will be served in

continuing with the criminal proceedings.

5. Accordingly, the petition is allowed. FIR No.747 dated 07.10.2020 registered for offences under Sections 406, 420 of Indian Penal Code, 1860 and Section 24 of Immigration Act, at Police Station Karnal Sadar, District Karnal (Annexure P-1) is quashed qua the petitioners.

July 13, 2023

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No