

CRM-M-12951 of 2023

[1]

2023:PHHC:087916

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

287

CRM-M-12951 of 2023

Date of decision:13.07.2023

Laxmi Narayan

... Petitioner

Vs.

State of Haryana and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Sahil Chowdhary, Advocate  
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

**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.730 dated 26.12.2022 registered for offences under Section 420 of Indian Penal Code, 1860 at Police Station Sector 10, Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom, on the basis of compromise dated 20.02.2023 (Annexure P-2).
2. Mr. J.S.Sekhon, Advocate has put in appearance on behalf of respondent No.2 and has filed ‘Vakalatnama’, which is taken on record.
3. Pursuant to order dated 15.03.2023 passed by this Court, report has been received from the Trial Court and its relevant extract is as under:-

- “i) There is no accused in the FIR namely Laxmi Narayan who has appeared before the Court and made his statement.*
- ii) The accused is not a proclaimed offender.*
- iii) The compromise is genuine voluntary and out of free will of the parties.*
- iv) No other case is pending against the accused.”*

4. 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.

5. 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.

6. Accordingly, the petition is allowed. FIR No.730 dated 26.12.2022 registered for offences under Section 420 of Indian Penal Code,

1860 at Police Station Sector 10, Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom, is quashed qua the petitioner.

July 13, 2023  
savita

(SUVIR SEHGAL)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |