

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.248

CRM-M-16099-2023 (O&M)

Date of decision : 26.05.2023

Major Singh and another

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Lovish Rattan, Advocate, for the petitioners.

Mr. G.S. Dhillon, AAG, Punjab

Mr. Surinder Sharma, Advocate, for respondent No.2.

SUDHIR MITTAL, J. (Oral)

The petitioners have been convicted and sentenced under Sections 323 & 324 IPC read with Section 34 IPC in case FIR No.59 dated 25.05.2017, registered at Police Station Kathu Nangal, District Amritsar under Sections 326, 324, 323 & 34 IPC. Appeal against the judgment of conviction and order of sentence is pending. During the pendency thereof, the parties have reached an amicable settlement and pursuant to directions of this Court their statements have been recorded. Report dated 26.04.2023 of the appellate Court has been received which establishes that the parties have voluntarily effected the compromise and that the same is not due to coercion and undue influence. In recent judgment of the Supreme Court dated 29.09.2021 passed in Criminal Appeal No.1489 of 2012 titled as **Ramgopal and another Vs. State of Madhya Pradesh**, it has been held that inherent powers under Section 482 Cr.P.C. can be exercised by the High Court even after conviction provided the offence is personal in nature, does not exhibit

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mental depravity, the compromise is voluntary, no other incident has taken place between the parties and that quashing would result in restoration of peace and harmony. These parameters exist in the present case also. Thus, the present petition is allowed. FIR No.59 dated 25.05.2017, registered at Police Station Kathu Nangal, District Amritsar under Sections 326, 324, 323 & 34 IPC alongwith all consequential proceedings including the judgment of conviction and order of sentence, are quashed qua the petitioners.

(SUDHIR MITTAL)
JUDGE

26.05.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No