

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

Sr. No.247

CRM-M-17684-2022

Date of Decision : April 10, 2023

Tarlochan Singh and others

...Petitioners

Versus

Kewal Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. J.S. Ghuman, Advocate, for the petitioners.
Mr. Sukhdeep Singh, Advocate, for the respondents.

SUDHIR MITTAL, J. (ORAL)

The petitioners have been convicted and appeal against the conviction 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 14.03.2023 of the trial 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, ***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 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. The complaint dated 08.06.2015, under Sections 324, 323, 148 & 149 IPC, at Nanu Majra, Tehsil

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Phillaur, District Jalandhar and all subsequent proceedings including the judgment of conviction and order of sentence dated 09.03.2021, are quashed qua the petitioners. Appeal has thus been rendered infructuous.

April 10, 2023

Ankur

Whether speaking/reasoned

Whether Reportable

Yes/No

Yes/No

(SUDHIR MITTAL)

JUDGE