

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

268

2023:PHHC:085297

CRM-M No.17966 of 2023
Date of decision: July 6th, 2023

Ranjit Singh alias Rana

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anil Kumar Spehia, Advocate
for the petitioner.

Mr. Vinay Kumar Gupta, Assistant Advocate General, Punjab,
for respondent No.1-State.

Ms. Dilpreet Kaur, Advocate
for Mr. Suresh Kumar Arya, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.197 dated 25.07.2015 registered under Sections 279, 337, 338 and 427 of the Indian Penal Code, 1860 at Police Station Kapurthala City, District Kapurthala and the consequential proceedings arising out of the same including judgment of conviction and order of sentence dated 20.09.2019 passed by learned Judicial Magistrate 1st Class, Kapurthala, on the basis of compromise dated 21.03.2023 (Annexure P-4) arrived at between the parties.

Learned counsel for the petitioner submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioner vide Annexure P-4. In support of his submissions, he has placed reliance upon judgment of this Court in ***Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102*** and Hon'ble

Supreme Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589*** wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at a post conviction stage.

Vide order dated 13.04.2023 of this Court, the parties were directed to appear before the Lower Appellate Court on 12.05.2023 to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Additional Sessions Judge, Kapurthala, in pursuance of the directions of this Court, wherein the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed.

The Appellate Court has annexed the statements of the parties in original, along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Additional Sessions Judge, Kapurthala, and the principles laid down by the Apex Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of***

Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589 and this Court in *Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it including judgment of conviction and order of sentence dated 20.09.2019 passed by leaned Judicial Magistrate 1st Class, Kapurthala, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

July 6th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No