

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

222

CRM-M-18925 of 2023
Date of decision: 13th October, 2023

Taranpreet Singh and others

Petitioners

Versus

The State of Punjab and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. LS Lakhanpal, Advocate for the petitioners.
Mr. Jashanpreet Singh, DAG, Punjab.
Mr. A.S. Sandhu, Advocate for respondent No. 2.

AVNEESH JHINGAN, J (Oral):

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.0130 dated 30.08.2022 under Sections 323, 379, 427, 506, 148, 149 IPC, registered at Police Station Gidderbaha, District Shri Muktsar Sahib (Annexure P-1) and Sections 379-B and 380, IPC 1860 added later on vide GD No.37 dated 20.11.2022 (Annexure P-2) and all other consequential proceedings arising therefrom, on the basis of compromise deed dated 19.01.2023 (Annexure P-3) arrived at between the parties.
2. The complainant is running a *dhaba* at highway and accused persons came to the *dhaba* and inflicted injuries. They took away licensed revolver of the complainant and DVR.
3. The parties with the intervention of respectables have compromised the matter.
4. On 25.4.2023, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.
5. The report dated 9.8.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence

and there are seven accused (petitioners herein) and they have not been declared as proclaimed offender.

6. Learned counsel for the petitioners and private respondents state that the parties are relatives and allegation were exaggerated while lodging the FIR.

7. Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

“There is no statutory bar in Cr.P.C. which affects inherent power of this Court under Section 482. The power of quashing is not limited to matrimonial cases alone.”

8. The Supreme Court in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, 2017 AIR (SC) 4843*** laid down the broad principles governing the exercise of powers for quashing of FIR. It was held that the power under Section 482 Cr.P.C. is to be exercised by the High Court to secure the ends of justice, to prevent abuse of any process of law and in cases where in view of the compromise the possibility of conviction is remote and continuation of proceeding will cause oppression and prejudice.

9. The parties are relatives. With the intervention of friends and relatives, the parties have decided to forget and forgive and to save their relations to an extent possible. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. To meet the ends of justice, the FIR mentioned above and all consequential proceedings arising therefrom are quashed.

10. The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

13th October, 2023
anuradha

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No