

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

257

CRM-M-19535 of 2023  
Date of decision: 19<sup>th</sup> October, 2023

Shiv Om

Petitioner

Versus

State of UT and another

Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Mayank Aggawal, Advocate for  
Mr. Vipul Sharma, Advocate for the petitioner.

Mr. Viranjeet Singh Mahal, Addl. PP UT Chandigarh

Mr. Dhruv Sharma, Advocate for  
Ms. Tanika Goyal, Advocate for respondent No. 2.

**AVNEESH JHINGAN, J (Oral):**

1. This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 30 dated 8.3.2023 under Sections 279 and 337 IPC, 1860 registered at Police Station Central Sector-17, Chandigarh and all other subsequent proceedings arising therefrom on the basis of compromise (P-2).
2. The FIR was result of a road accident in which injuries were sustained.
3. The parties with the intervention of respectables have compromised the matter.
4. On 18.5.2023, 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 2.6.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence and there is one accused (petitioner herein) and he has not been declared as proclaimed offender.
6. 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.”*

7. 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.

8. It is a case of road accident. The parties have compromised the matter and have decided to forget and forgive. 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.

9. The petition is allowed.

[AVNEESH JHINGAN]  
JUDGE

19<sup>th</sup> October, 2023  
anuradha

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