

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

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CRM-M-19424 of 2023

Date of decision:05.07.2023

Jeet Singh and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Nitish, Advocate for
Mr. Kuldip Singh, Advocate
for the petitioners.

Mr. A.P.S.Tung, DAG, Punjab.

Mr. Arshdeep, Advocate
for respondents No.2 to 15.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short “the Code”) for quashing of cross-version bearing GD No.28 dated 16.01.2021 registered for offences under Sections 341, 323, 506, 148, 149 of Indian Penal Code, 1860 (Annexure P-2) in FIR No.0237 dated 06.11.2020 registered for offences under Sections 452, 323, 506, 148, 149 of Indian Penal Code, 1860, at Police Station Guruharshai, District Ferozepur (Annexure P-1) on the basis of compromise (Annexure P-3).

2. Pursuant to order dated 20.04.2023 passed by this Court, report has been received from the Trial Court and its relevant extract is as under:-

*“From the statements as recorded in the Court in the present
FIR, it is submitted that twelve persons were arrayed as*

accused in the present case and they have entered into compromise without any kind of coercion or undue influence and the same is genuine and voluntary. It is further submitted that none of the accused is declared proclaimed offender in the present case. It is further submitted that Sandeep Singh son of Kashmir Singh and Jaswinder Singh son of Jeet Singh are involved in another FIR bearing No.210 dated 14.09.2014 under Sections 341, 382, 366, 376-D, 506, 148 of Indian Penal Code, Police Station Guruharsahai and they had been convicted in the above said FIR and now they are on bail and remaining accused are not involved in any other case. It is further submitted that challan has not been presented in the present case till today. As per the statement of ASI Atma Singh, there is one complainant namely Sohan Lal son of Lachman Ram and injuries were inflicted on three persons namely Sandeep Kumar, Sohan Lal and Lachman Ram and Dayal Chand is eye witness in the present case. From the statements as recorded in the Court, I am satisfied that the compromise effected between the parties have been arrived at without any coercion or undue influence from any persons and the same is genuine and voluntary one.”

3. Supreme Court in **Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543** has held that the High Court has wide power under Section 482 of the Code to quash an FIR or complaint

having predominantly civil flavour or involving matrimonial offences and family disputes wherein the wrong is basically private or personal in nature and the parties have resolved their entire dispute. A Full Bench of this Court in case **Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052** and Division Bench of this Court in case **Sube Singh and another vs. State of Haryana and another, 2013(4) RCR (Criminal) 102** has held that compounding of offence can be allowed even after conviction, during pendency of the appeal and even in cases involving non-compoundable offences.

4. Counsel for the private parties are also ad idem that in view of the settlement of the dispute between the parties, the present petition deserves to be accepted. In view of the above, no purpose will be served in continuing with the criminal proceedings.

5. Accordingly, the petition is allowed. Cross-version bearing GD No.28 dated 16.01.2021 registered for offences under Sections 341, 323, 506, 148, 149 of Indian Penal Code, 1860 (Annexure P-2) in FIR No.0237 dated 06.11.2020 registered for offences under Sections 452, 323, 506, 148, 149 of Indian Penal Code, 1860, at Police Station Guruharshai, District Ferozepur (Annexure P-1) is quashed qua the petitioners.

July 05, 2023

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No