

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

271-A

CRM-M-20391 of 2023

Date of decision:05.07.2023

Sohan Lal and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Arshdeep, Advocate
for the petitioners.

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

Mr. Kuldip Singh, Advocate
for respondents No.2 and 3.

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 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-2).

2. Pursuant to order dated 26.04.2023 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 fourteen 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 and accused persons 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 Harmeet Singh son of Hakam Singh and injuries were inflicted on three persons namely Harmeet Singh, Rukman Rani and Shindo Bai. From the statements as recorded in the Court, I am satisfied that the compromise effected between the parties has 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. 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