

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

CRM-M-24245 of 2022

Date of decision: 9th August, 2023

Ram Saroop and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Piyush Setia, Advocate for the petitioners.

Ms. Navreet Kaur Barnala, AAG, Punjab.

Mr. J. S. Grewal, Advocate for respondents No. 2 and 3.

AVNEESH JHINGAN, J (Oral):

1. This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 104 dated 24.7.2021, under Sections 323, 148, 149 and 506 IPC, registered at Police Station Khuian Sarwar, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise.

2. As per the allegations in the FIR, the petitioners inflicted injuries to the complainant when she stopped the petitioners for not digging the passage.

3. On 30.5.2022, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.

4. The report dated 05.07.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence and that there are only seven accused (petitioners herein) and they have not been declared as proclaimed offender.

5. 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.”

6. 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.
7. The parties are from the same locality. With the intervention of respectables, the parties have settled the differences and decided not to litigate any further. No useful purpose would be served by continuing with the trial. To meet the ends of justice, the FIR mentioned above and all consequential proceedings arising therefrom are quashed.
8. The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

9th August, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |