

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

**CRM-M-23609 of 2023**

**Date of decision: 22<sup>nd</sup> September, 2023**

Amarjeet Singh and others

Petitioners

Versus

State of Punjab and others

Respondents

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

Present: Mr. L. S. Sidhu, Advocate for the petitioners.  
Mr. Jashanpreet Singh, DAG, Punjab.  
Mr. Ishan Thakur, Advocate for the private respondents.

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

1. This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 19 dated 3.3.2021, under Sections 420 and 120-B IPC, registered at Police Station Joga, District Mansa and all subsequent proceedings arising therefrom on the basis of compromise.
2. As per the allegations in the FIR, the petitioners in collusion with each got attested the transfer of ownership deed in order to defeat the right of the complainant and her daughter.
3. On 7.8.2023, 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 8.9.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence and that there are seven accused (petitioners herein) and none of them has been declared as proclaimed offender.
5. Learned counsel for the private respondents submits that the complainant is not pursuing the matter against un-known persons.
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.”*

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 dispute has a pre-dominant tone and tenor of commercial transaction. With the intervention of friends and relatives, 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**

**22<sup>nd</sup> September, 2023**  
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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |