

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

**CRM-M-25755 of 2023 (O&M)
Date of decision: 4th September, 2023**

Kulwant Singh and others

Petitioners

Versus

State of Punjab and another

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. R. S. Dadwal, Advocate for the petitioners.
Mr. Jashanpreet Singh, DAG, Punjab.
Mr. Suraj Kondal, 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.59 dated 15.8.2014, under Sections 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station City Raikot, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise.
2. As per the allegations in the FIR, the petitioners in connivance with each other impersonated Harpeet Singh and forged his signatures for getting the sale deedd executed.
3. On 22.5.2023, 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 25.7.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence and that there are six accused (four petitioners herein) and they have not been declared as proclaimed offender.
5. Learned counsel for the petitioners submits that FIR against remaining two accused have already been quashed by this court.
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. The dispute has a pre-dominant tone and tenor of commercial transaction. The parties have settled the differences and decided not to litigate any further. FIR against two accused has already been quashed by this court. 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.

9. The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

4th September, 2023
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1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No