

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

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CRM-M-29162-2022

Date of Decision: 31.05.2023

Gurdeep Singh and another

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Ms. Pranjali Garg, Advocate, for
Mr. Lakhwinder Singh, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Pardeep Singh, Advocate, for
Mr. Kuldeep Siwach, Advocate
for respondents No.2 and 3.

SANJEEV PRAKASH SHARMA, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.46 dated 17.09.2018 under Sections 498-A, 406 and 34 IPC, registered at Police Station Women, District Bathinda and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report dated 17.11.2022 from concerned Court, has been received through District and Sessions Judge, Bathinda,

with statements of parties, in which, it has been mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

The Hon'ble Full Bench of this Court in case **Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052** and Hon'ble Division Bench of this Court in case **Sube Singh and another vs. State of Haryana and another, 2013(4) RCR (Criminal) 102** observed that compounding of offence can be allowed even after conviction, during proceedings of the appeal against conviction pending in Sessions Court and in case of involving non-compoundable offence.

An identical question came to be decided by Hon'ble Supreme Court in case **Gian Singh Versus State of Punjab and another. 2012(4) RCR (Criminal) 543.**

The same view has been recently reiterated by the Apex Court in case **Narinder Singh and others Vs. State of Punjab and another, 2014(2) RCR (Criminal) 482 & State of Madhya Pradesh Vs. Laxmi Narayan and others, 2019(5) SCC 688.**

In view of above, the instant petition is accepted. Consequently, the impugned FIR No.46 dated 17.09.2018 under Sections 498-A, 406 and 34 IPC, registered at Police Station Women, District Bathinda and all subsequent proceedings arising therefrom, are hereby quashed, on the basis of compromise, qua the petitioners only.

31.05.2023
D.Bansal

(SANJEEV PRAKASH SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No