

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

CRM-M-31012-2021

Date of Decision:-19.07.2023

Shobha Chand & Anr.

.....Petitioners.

Vs.

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Ms. Shuchi Sodi, Advocate for
Mr. Animesh Sharma, Advocate for the Petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.90 dated 03.07.2014 (Annexure P-1) under Sections 323, 341, 325, 506 and 34 IPC registered at Police Station Bapoli, District Panipat and all consequential proceedings as well as Judgment of Conviction and Order of Sentence dated 09.01.2019 and 10.01.2019 (Annexure P-2) passed by Id. JMIC Samalkha, on the basis of compromise dated 09.07.2021 (Annexure P-3) arrived at between the parties.

Vide order dated 23.09.2022 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 23.09.2022 with regard to the compromise dated 09.07.2021 (P-3).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 23.09.2022 passed by this Court, the parties have appeared before Mr. Ajay K. Verma, Additional sessions Judge, Panipat and as per the report dated 01.11.2022 submitted to this Court, both

the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence.

The Hon’ble Supreme Court in “*Ramgopal and another versus State of Madhya Pradesh, 2021(4) RCR (Criminal) 322*”, has held that in non-compoundable cases of pre-dominantly private nature, even if compromise is reached after conviction, the proceedings can be quashed under Section 482 Cr.P.C. Further, the compromise in the present case is found to be fully in consonance of judgments with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (3) RCR (Criminal) 1052* and *Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543*”.

In view of the aforesaid report of the learned Additional Sessions Judge, Panipat accompanied by statements of both the parties, the FIR No.90 dated 03.07.2014 (Annexure P-1) under Sections 323, 341, 325, 506 and 34 IPC registered at Police Station Bapoli, District Panipat and all consequential proceedings as well as Judgment of Conviction and Order of Sentence dated 09.01.2019 and 10.01.2019 (Annexure P-2) passed by Id. JMIC Samalkha are hereby quashed qua the petitioner.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 19, 2023
Vinay

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