

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

**CRM-M-30028 of 2023**

**Date of decision: 11<sup>th</sup> August, 2023**

Soniya and another

...Petitioners

Versus

State of Haryana and another

...Respondents

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

Present: Mr. Mandeep Singh, Advocate for the petitioners.  
Mr. Rajiv Sidhu, DAG, Haryana.  
Mr. Susheel Sahrma, Advocate for the complainant.

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

1. This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 127 dated 16.5.2017, under Sections 384, 452, 506, 34 IPC, registered at Police Station Civil Line Bhiwani and all subsequent proceedings arising therefrom on the basis of compromise.
2. As per the FIR, the petitioners threatened the complainant, who is an Advocate, to kill him.
3. The parties with the intervention of respectables have compromised the matter.
4. On 3.7.2023, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.
5. The report dated 21.7.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence and there are two accused (petitioners herein) and none of them has been declare as proclaimed offender.
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.            With the intervention of friends and relatives, the parties have decided to forget and forgive. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. 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

11<sup>th</sup>      August, 2023  
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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |