

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

Sr. No.245

CRM-M-37361-2022

Date of Decision : February 02, 2023

Raj Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Preetwinder Singh Dhaliwal, Advocate, for the petitioners.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Mr. Sandeep Siwan, Advocate, for respondent No.2.

SUDHIR MITTAL, J. (ORAL)

The petitioners have been convicted and sentenced under Sections 323, 324, 506 & 34 IPC in case of FIR No.37, dated 20.06.2016, registered at Police Station Mehal Kalan, District Barnala. Appeal against the judgment of conviction and sentence is pending. During the pendency thereof, the parties have reached an amicable settlement and pursuant to directions of this Court their statements have been recorded. Report dated 03.12.2022 of the appellate Court has been received which establishes that the parties have voluntarily effected the compromise and that the same is not due to coercion and undue influence. In recent judgment of the Supreme Court dated 29.09.2021 passed in Criminal Appeal No.1489 of 2012, ***Ramgopal and another vs. State of Madhya Pradesh***, it has been held that inherent powers under Section 482 Cr.P.C. can be exercised by the High Court even after conviction provided the offence is personal in nature, does not exhibit mental depravity, the compromise is voluntary, no other incident has taken place

between the parties and that quashing would result in restoration of peace and harmony. These parameters exist in the present case also. Thus, the present petition is allowed. FIR No.37, dated 20.06.2016, registered at Police Station Mehal Kalan, District Barnala, under Sections 323, 324, 506 & 34 IPC along with all consequential proceedings including the judgment of conviction and order of sentence, are quashed qua the petitioners.

February 02, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No