

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

**CRM-M-39576-2022
Date of decision: 20.04.2023**

Ishwar Chand Bansal

....Petitioner.

Versus

State of Haryana and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rahul Bhargava, Advocate, for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Ms. Vaishali Kamboj, Advocate,
for Mr. R.S. Budhwar, Advocate, for respondent No. 2.

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SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of criminal complaint No. 183-1 dated 22.05.2014/23/05.2014 (Annexure P-1) filed under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station City Jagadhri, District Yamuna Nagar and all consequential proceedings arising therefrom along with judgment dated 14.05.2019 (Annexure P-2) and order dated 21.05.2019 (Annexure P-3), passed by learned Additional Chief Judicial Magistrate, Yamuna Nagar, on the basis of compromise dated 08.08.2022 (Annexure P-5) executed between the parties.

[2]. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 08.08.2022 (Annexure P-5), which is duly signed by them. The

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matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri, vide report dated 18.01.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Learned counsel for the petitioner refers to the judgement cited in the case of “*Ramgopal and another vs. State of Madhya Pradesh*”, 2021 (4) RCR (Criminal) 322, wherein it has been held that quashing on the basis of compromise under Section 482 Cr.P.C, can even be reached after conviction in cases of non-compoundable criminal cases but predominantly of the private nature.

[4]. Respondents No. 2 is represented by their counsel and do not oppose the compromise.

[5]. Considering the report of the District and Sessions Judge, Yamuna Nagar and in view of the decision of the Hon'ble Supreme Court in “*Gian Singh Vs. State of Punjab and another*”, 2012(4) RCR (Criminal) 543 and “*Narinder Singh and Others Vs. State of Punjab and Another*”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainants has himself compromised the dispute with the petitioners/accused persons.

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[6]. In the circumstances, the present petition is allowed. criminal complaint No. 183-1 dated 22.05.2014/23/05.2014 (Annexure P-1) filed under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station City Jagadhri, District Yamuna Nagar and all consequential proceedings arising therefrom along with judgment dated 14.05.2019 (Annexure P-2) and order dated 21.05.2019 (Annexpre P-3), passed by learned Additional Chief Judicial Magistrate, Yamuna Nagar, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

20.04.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |