

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

CRM-M-46667-2022

Date of decision :14.03.2023

**GURDEEP SINGH AND ANR**

... Petitioner(s)

**Versus****STATE OF PUNJAB AND ANOTHER**

...Respondent(s)

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

Present: Mr. Yogesh Goel, Advocate with  
Mr. Lakshay Goel, Advocate and  
Mr. Aseem Kumar, Advocate  
for the petitioner(s).

Ms. Navreet Kaur Barnala, Asstt. A.G., Punjab.

Ms. Tanya Kanwer, Advocate for  
Mr. Deepal Goyal, Advocate  
for respondent No.2.

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**JASJIT SINGH BEDI, J. (ORAL)**

The prayer in this petition is for quashing of an FIR No.19 dated 28.02.2006 (Annexure P-1) registered under Sections 341, 323, 382, 365, 506 IPC and Section 3(1)(x) of SC and ST (Prevention of Atrocities) Act, 1989 at Police Station Koom Kalan, District Ludhiana and all consequential proceedings as well as Judgment and Conviction Order dated 17.01.2013 passed by the Additional Sessions Judge, Ludhiana, on the basis of compromise dated 02.09.2022 (Annexure P-3) arrived at between the parties.

Vide order dated 11.10.2022 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 11.10.2022 with regard to the compromise dated 02.09.2022 (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 11.10.2022 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1<sup>st</sup> Class, Ludhiana and as per the report dated 11.01.2023 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 Judicial Magistrate 1<sup>st</sup> Class, Ludhiana accompanied by statements of both the parties, the FIR No.19 dated 28.02.2006 (Annexure P-1) registered under Sections 341, 323, 382, 365, 506 IPC and Section 3(1)(x) of SC and ST (Prevention of Atrocities) Act, 1989 at Police Station Koom Kalan, District Ludhiana along with all consequential proceedings arising therefrom including the appeal proceedings pending qua the judgment of conviction before Additional Sessions Judge, Ludhiana are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)  
JUDGE

14.03.2023  
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No