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

CRM-M-38675-2019

Date of decision :25.04.2023

GURDEV SINGH AND ANOTHER**... Petitioner(s)****Versus****STATE OF PUNJAB AND OTHERS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. L.C. Aggarwal, Advocate
for the petitioner(s).

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

Mr. Ajay Kumar, Advocate
for respondent Nos.2 and 3.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition is for quashing of FIR No.100 dated 01.07.2012 (Annexure P-1) under Sections 337, 338, 506, 34 IPC and Section 26 of Juvenile Justice (Care and Protection of Children) Act, 2000 registered at Police Station Shahkot, Jalandhar City and all consequential proceedings as well as Judgment and Conviction Order dated 29.09.2017 passed by JMIC, Nakodar, on the basis of compromise dated 05.09.2019 arrived at between the parties.

Vide order dated 16.11.2019 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 16.11.2019 with regard to the compromise dated 05.09.2019.

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 05.09.2019 passed by this Court, the parties have appeared Judicial Magistrate Ist Class, Nakodar and as per the report dated 28.11.2019 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 Judicial Magistrate Ist Class, Nakodar accompanied by statements of both the parties, the FIR No.100 dated 01.07.2012 (Annexure P-1) under Sections 337, 338, 506, 34 IPC and Section 26 of Juvenile Justice (Care and Protection of Children) Act, 2000 registered at Police Station Shahkot, Jalandhar City along with all consequential proceedings arising therefrom including the appeal proceedings pending qua the judgment of conviction before the JMIC, Nakodar are hereby quashed qua the petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

25.04.2023
Jitesh

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