

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

Date of decision:25th September, 2023

(1) CRM-M-51200 of 2021

Gurdit Singh @ Laddi and others

...Petitioners

Versus

State of Punjab and others

...Respondents

(2) CRM-M-52337 of 2021

Gurdeep Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Davinder Singh, Advocate for the petitioners in CRM-M-51200 of 2021 and for the private respondents in CRM-M-52337 of 2021
Mr. Jashanpreet Singh, DAG, Punjab.
Mr. Rishab Garg, Advocate for the petitioners in CRM-M-52337 of 2021 and for private respondents in CRM-M-51200 of 2021

AVNEESH JHINGAN, J (Oral):

1. These petitions under Section 482 of Code of Criminal Procedure are filed seeking quashing of DDR No. 29 dated 15.9.2019, under Sections 326, 323, 148, 149 IPC in/and FIR No. 128 dated 14.9.2019, under Sections 323, 324, 341, 506, 148 and 149 IPC (Section 201 IPC added later on), registered at Police Station Meharbhan, District Police Commissionerate Ludhiana and all subsequent proceedings arising

therefrom on the basis of compromise.

2. Krishma Rani got registered an FIR alleging that on 13.9.2019 a scuffle took place in which both the parties inflicted injuries to each other. The cross-version of the incident was reported by Seema.

3. The parties with the intervention of respectables have compromised the matter.

4. On 20.12.2021, 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 2.9.2022 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence.

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 power 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 DDR and FIR mentioned above and all consequential proceedings arising therefrom are quashed.
9. The petitions are allowed.
10. Photocopy of the order be placed on the file of connected case.

[AVNEESH JHINGAN]
JUDGE

25th September, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |