

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

282 (A)

CRM-M-46436-2023

Date of Decision:16.10.2023

Bahadur Singh

.....Petitioner

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. M.S. Yadav, Advocate for
Mr. Sunny K. Singla, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.27 dated 29.12.2014 registered under Sections 341, 323, 324, 201, 506, 34 of the IPC in F.I.R. No.111 dated 29.12.2014 registered under Sections 323, 341, 506, 201, 34 of the IPC registered at Police Station Sandaur, District Sangrur (now District Malerkotla) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.09.2023 (Annexure P-3).

2. Learned counsel for the petitioner contends that petitioner has been convicted by Trial Court vide judgment dated 19.12.2022 under Sections 341, 324, 506, 201/34 of the IPC and sentence to undergo maximum rigorous imprisonment for 06 months in addition to fine of ₹500/- with default sentence. Against the said judgment of conviction and order of

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sentence, petitioner has filed appeal before Learned Sessions Court, which is pending adjudication. Prayer is made to quash the judgment of conviction and order of sentence.

3. Learned counsel has referred to ***“Ramgopal and another v. State of Madhya Pradesh”*** 2021 SCC Online SC 834, to contend that criminal proceedings involving non-heinous offences or where offences are pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has been concluded and appeal stands dismissed against conviction, under extraordinary powers enjoined upon the High Court under Section 482 Cr.P.C.

4. This Court vide order dated 15.09.2023 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

5. Pursuant to the aforesaid order, parties have appeared before Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 06.10.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

6. Learned State counsel concedes the factum of the compromise amongst the parties and has no objection to allow the petition and set aside the impugned judgment of conviction and order of sentence on account of the compromise having been effected between the parties.

7. Consequent to the aforesaid facts and circumstances and having regard to the legal position as explained in Ramgopal’s case (*supra*), the

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impugned judgment of conviction and order of sentence, are hereby set aside on account of the compromise between the parties.

8. In view of the compromise between the parties, this petition is allowed and DDR No.27 dated 29.12.2014 registered under Sections 341, 323, 324, 201, 506, 34 of the IPC in F.I.R. No.111 dated 29.12.2014 registered under Sections 323, 341, 506, 201, 34 of the IPC registered at Police Station Sandaur, District Sangrur (now District Malerkotla) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.09.2023 (Annexure P-3), are quashed qua the petitioner.

October 16, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No