

CRM-M-49103-2022
Date of decision: 25.04.2023

SUDHA CHOPRA AND OTHERS. ...PETITIONERS
VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ankur Bansal, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Yadwinder Singh, Advocate for
Mr. Ruhani Chadha, Advocate for respondent No.2.

VIVEK PURI, J. (ORAL)

1. Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of Criminal Complaint No.3. dated 29.04.2014 under Sections 3(i) (xi) and (xiv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 (hereinafter referred to as the 'SC/ST Act') pending in the Court of Ld. Addl. Sessions Judge, Jalandhar and all the consequential proceedings arising therefrom, on the basis of compromise.

2. On 14.02.2023, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.

3. The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.

4. In compliance of the order dated 23.01.2023, learned Addl. District and Sessions Judge has recorded the statements of the parties and submitted the

report, the relevant para whereof reads as under:-

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From the above said statements of complainant and the accused, I am satisfied that parties have entered into compromise voluntarily without any pressure, coercion and undue influence and the same is genuine. Accused are not involved in any other case and they are accused only in this case and the complainant Surjit @ Bholi is only victim in this case. Except the accused named above, there is no other person arraigned in this FIR as accused..”

5. Learned counsel for the petitioners contend that briefly, the FIR has been registered on the allegations that the petitioners had uttered derogatory remarks against the caste of respondent No.2 in the premises of Yog Ashram. It has been further submitted that the dispute has been amicably settled between the parties in terms of compromise deed dated 14.10.2022. The parties are the followers of the same sect and an amiable settlement will help in maintaining cordial relations between them in future.

6. Learned counsel for respondent No.2 states that he has no objection if the complaint is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, Criminal Complaint No.3. dated 29.04.2014 under Sections 3(i) (xi) and (xiv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 (hereinafter referred to as the 'SC/ST Act') pending in the Court of Ld. Addl. Sessions Judge, Jalandhar and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

11. Resultantly, with the above-said observations made, the instant petition stands allowed.

25.04.2023

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(VIVEK PURI)
JUDGE

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