

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

CRM-M-57670-2022

Date of Order: 04.10.2023

Manpreet Singh and others

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Harmanpreet Singh, Advocate, for the petitioners.

Mr. Jashanpreet Singh, DAG, Punjab.

Mr. Harinder Pal Singh, Advocate,
for respondent Nos.2 and 3.

Avneesh Jhingan, J. (Oral)

1. This petition under Section 482 of Code of Criminal Procedure is filed for quashing of FIR No.29 dated 05.03.2022, under Sections 307, 323, 324, 506, 34 IPC, registered at Police Station Sultanwind, District Police Commissionerate Amritsar, and all subsequent proceedings arising therefrom on the basis of compromise.

2. The FIR was got registered by Satnam Singh alleging that on 04.03.2022, accused attacked him and Veerpal Singh and inflicted injuries.

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

4. On 09.12.2022, 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 01.05.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence and there are three accused (petitioners herein) and none of them has been declared as proclaimed offender.

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) 9 SCC 641***, laid down the broad principles governing the exercises of powers of 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. Counsel for the petitioner and respondent Nos. 2 and 3 are ad-idem that during the pendency of the present petition, offence under Section 307 IPC was deleted.

9. Learned State Counsel on instructions from ASI Angrej Singh, submits that the offence under Section 307 IPC was deleted vide Rapat No. 26 dated 31.03.2022.

10. The parties are residents of the same locality. With the intervention of friends and relatives, the parties have decided to forget and forgive. There is an attempt by the parties to bridge their differences. 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 FIR mentioned above and all consequential proceedings arising therefrom are quashed.

11. The petition is allowed.

04.10.2023
ds

(AVNEESH JHINGAN)
JUDGE

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