



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-16558-2024 and
CRM-16560-2024 in/and
CRA-S-4808-SB-2014
Date of decision: 30.08.2024

Paramjit Kaur

.....Appellant

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Himmat Singh Sidhu Advocate
for the appellant.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Prashant Vashisth, Advocate
for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)**CRM-16558-2024 and CRM-16560-2024**

1. Prayer in the applications is for listing the main appeal for final disposal and for compounding of offence under Section 328 of the IPC in FIR No.20 dated 21.03.2011 under Section 328 of the IPC registered at Police Station Sidhwan Bet, District Ludhiana, in view of the compromise deed dated 07.03.2024 (Annexure A-1).

2. Learned counsel for the appellants submits that the parties have arrived at an amicable settlement subsequent to the conviction of the appellants. In support of his submissions, he has placed reliance upon judgment of this Court in *Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102* and Hon'ble



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Supreme Court in *Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589* wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at the post conviction stage.

3. Vide order dated 15.07.2024 of this Court, the parties were directed to appear before the learned Sessions Judge, Ludhiana on 30.07.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Sessions Judge, Ludhiana, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and respondents No.2 to 4 have also made statements to the effect that they would have no objection if the offence under Section 328 of the IPC is compounded qua the appellant.

5. The learned Sessions Judge, Ludhiana, has annexed copies of statements of the parties alongwith his report.

6. In view of the report of the learned Sessions Judge, Ludhiana and the principles laid down by Hon'ble the Apex Court in *Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589* and this



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Court in *Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102*, both the applications are allowed the offence under Section 328 of the IPC is hereby compounded. Main appeal is taken up on board today itself for final disposal.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

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8. Since, offence under Section 328 of the IPC is compounded, the appeal preferred by the appellant against his conviction and order of sentence passed by learned Sessions Judge, Ludhiana stands allowed and the impugned judgment of conviction and order of sentence dated 07.11.2014 are set aside.

30.08.2024

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**(MANJARI NEHRU KAUL)
JUDGE**

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