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

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Date of decision : 01.08.2024

Harjot Singh and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Ramneek Singh Chandi, Advocate for petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Dheeraj Kumar, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioners-Harjot Singh, Amritpal Singh Dhillon, Sukhbir Singh, Harmanpreet Singh and Jaskarandeep Singh have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.172 dated 10.07.2023 under Section 392 of IPC (Section 392 deleted and Section 395 of IPC was added lateron), registered at Police Station Kotwali, District Kapurthala and all subsequent proceedings arising therefrom, on the basis of compromise between parties dated 11.10.2023 (Annexure P-1).

2. Facts of the case are Hardeep Singh gave his statement to the police that on 09.07.2022 his workers namely Jeewan Kumar and Harmanpreet Singh were present at petrol pump on night duty. On 10.07.2023 at about 2:45 AM, Jeewan Kumar his worker informed that at

about 2:30 AM four boys came with muffled faces on motorcycle Hero

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Splender without number. One of them was armed with *datar*, two boys threatened them by showing *datar* and one of the boy entered the room and took out cash of Rs.38,880/-. They filled their motorcycle with petrol worth Rs.358/- and fled away towards the side of Sultanpur. With these allegations, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Additional District & Sessions Judge, Kapurthala dated 01.03.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioners. He confirmed that this compromise has been effected without any pressure, coercion from any side and he has no objection regarding quashing of FIR.

4. Petitioners – Harjot Singh, Amritpal Singh Dhillon, Sukhbir Singh, Harmanpreet Singh and Jaskarandeep Singh also confirmed this fact in their separate statements. It is also confirmed in the report that no accused has been declared as proclaimed offender.

5. Therefore, from the report of Additional District & Sessions Judge, Kapurthala, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Gainful reference can be made to the authority of our own High Court i.e. **Larger Bench of Five Judges 2007(3) RCR (Criminal) 1052** case titled “*Kulwinder Singh and others*



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vs. State of Punjab and another” where it was explained that inherent power of this Court under Section 482 cannot be limited to matrimonial cases alone and the Court has wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 of Criminal Procedure Code in order to prevent abuse of law and to secure ends of justice.

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. After compromise they will be able to live peacefully. It will end litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by petitioners is accepted and FIR No.172 dated 10.07.2023 under Section 392 of IPC (Section 392 deleted and Section 395 of IPC was added lateron), registered at Police Station Kotwali, District Kapurthala and all other subsequent proceedings arising therefrom are quashed.

8. Accordingly, present petition stands accepted.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

01.08.2024.
Sunil Devi

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No