



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

306

CRM-M-12527-2024

Date of decision: 13.05.2024

Amritpal Singh @ Mandeep and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Daljeet Singh Virk, Advocate
for the petitioners.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Arshdeep S. Brar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition is for quashing of FIR No.85 dated 24.03.2018 (Annexure P-1) under Sections 379-B, 427 of the IPC registered at Police Station Rania, District Sirsa, along with all subsequent proceedings including the judgment and order of conviction dated 29.11.2022/02.12.2022 on the basis of compromise dated 08.05.2023 (Annexure P-2) and for compounding of offences accordingly.

2. Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners in above mentioned case FIR. 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)



CRM-M-12527-2024

-2-

RCR (Criminal) 102 and Hon'ble 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 20.04.2024 of this Court, the parties were directed to appear before the Illaqa Magistrate/Duty Magistrate on 30.04.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Chief Judicial Magistrate, Sirsa, in pursuance of the directions 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 the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

5. learned Chief Judicial Magistrate, Sirsa has annexed copies of statements of the parties alongwith his report.

6. In view of the report of the learned Chief Judicial Magistrate, Sirsa and the principles laid down by 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 Court in ***Sube Singh and another Vs. State of Haryana and another :***



CRM-M-12527-2024

-3-

2013(4) RCR (Criminal) 102, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment/order of conviction dated 29.11.2022/02.12.2022, are quashed qua the petitioners.

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

8. It has been brought to the notice of this Court that the petitioners had preferred an appeal i.e. CRA-S-1524-2023 against their conviction, which is lying admitted. As the judgment of conviction is quashed, the abovesaid appeal has been rendered infructuous.

9. Registry is directed to list CRA-S-1524-2023 on 28.05.2024 in the ordinary motion list for disposal.

13.05.2024

Vinay

(MANJARI NEHRU KAUL)**JUDGE**

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