



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

291

CRM-M-14588-2024
Date of decision: July 4th, 2024

Deepak Singla
.....Petitioner

Versus

State of Punjab and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amarpreet Singh, Advocate
for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Prashant Vashisth, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.49 dated 01.05.2018 under Sections 279, 337, 338 and 427 of the IPC registered at Police Station GRP Bathinda, along with all consequential proceedings arising therefrom on the basis of compromise dated 06.03.2024 (Annexure P-3).

2. Learned counsel for the petitioner submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioner. 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 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 a post conviction stage.

3. Vide order dated 04.04.2024 of this Court, the parties were directed to appear before the Appellate Court on 03.05.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Sessions Judge, Bathinda, 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 respondent No.2 has also made a statement to the effect that he would have no objection if the FIR *qua* the petitioner is quashed.

5. The learned Sessions Judge, Bathinda, has annexed the statements of the parties in original along with his report.

6. In view of the report of the learned Sessions Judge, Bathinda, 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 Court in *Sube Singh and another Vs. State of Haryana and another: 2013(4) RCR (Criminal) 102*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 22.02.2024 passed by learned Additional Chief Judicial Magistrate

Bathinda, are quashed.

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

July 4th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No