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

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Date of decision : 05.07.2024

Raj Kumari and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. H.S.Randhawa, Advocate for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Prateek Pandit, Advocate for the respondent.

AMARJOT BHATTI J.

The petitioners-Raj Kumari, Neeru Sehgal, Kapil Kashyap, Sweety @ Bindu and Kamini have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.178 dated 03.11.2017 (Annexure P-1), under Sections 420, 465, 467, 468, 471, 193, 120-B of IPC, registered at Police Station Navi Baradari, District Jalandhar and all other subsequent proceedings on the basis of compromise between the parties dated 11.03.2024 .

As per the facts of the case, a written complaint was filed to Commissioner of Police, Jalandhar for registration of FIR against Raj Kumari, Neeru, Kapil Kashyap, Bindu @ Sweety and Kamini for preparing forged and fabricated document in the name of complainant and using the same for their own

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benefit. On coming to know about this fact, the complainant applied for the documents which were used in the court proceedings and thereafter detailed complaint was filed. After due investigation FIR No.178 dated 03.11.2017 was registered under Sections 420, 465, 467, 468, 471, 193, 120-B of IPC at Police Station Navi Baradari, District Jalandhar.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Judicial Magistrate 1st Class, Jalandhar dated 01.07.2024. The statement of respondent No.2 has been recorded, where he confirmed the compromise with the 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.

The petitioners -Raj Kumari, Neeru @ Neeru Sehgal, Kapil Kashyap @ Kapil Kumar, Bindu @ Sweety and Kamini @ Kamini Kashyap also confirmed this fact in their separate statements. The statement of ASI Sukhdeep Singh is also recorded who further confirmed that the accused have not been declared as proclaimed offender.

Therefore, from the report of Judicial Magistrate 1st Class, Jalandhar, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. As per the compromise/settlement arrived at Mediation and Conciliation Centre of Punjab and Haryana High Court, Chandigarh Exhibit C-1 the parties have



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resolved as many as 10 cases detailed therein by effecting this compromise. Both the parties decided that all pending litigation, cases, complaints filed against each other will be withdrawn and in future they will not file any case against each other. 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 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.

In the case in hand both the parties have mutually settled all their disputes and thereafter they will be able to live peacefully. It will end all the litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings in the case in hand.

Therefore considering these facts, the petition filed by the petitioners is accepted and FIR No.178 dated 03.11.2017, under Sections 420, 465, 467, 468, 471, 193, 120-B of IPC, registered at Police Station Navi Baradari, District Jalandhar and all other subsequent proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

05.07.2024.

Sunil Devi

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No