



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-25060-2024 (O&M)
Date of Decision: 22.08.2024

Mehakdeep Singh and others Petitioners

Versus

State of Punjab and another Respondents

BEFORE: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. C.S.Jattana, Advocate for the petitioners.
Ms. Guramrit Kaur, Deputy Advocate General, Punjab.
Mr. A.S.Gill, Advocate for respondent No.2.

NIDHI GUPTA, J. (ORAL)

IOIN-CRM-M-25060-2024

Office note perused. There is a typographical error while mentioning the next date of hearing as 26.07.2027 instead of 26.07.2024 in order dated 17.05.2024. The next date of hearing be read as 26.07.2024 in the said order.

IOIN stands disposed of.

CRM-M-25060-2024

The petitioners have filed the present petition under Section 482 Cr.P.C., for quashing of FIR No. 10 dated 08.02.2024 (Annexure P-1) registered under Sections 376, 420, 406, 506, 120-B IPC at Police Station Women, Patiala, District Patiala, on the basis of Compromise dated 03.05.2024 (Annexure P-2) effected between the parties.

Pursuant to the order dated 17.05.2024 passed by a



Coordinate Bench of this Court, the parties appeared before the learned Additional Sessions Judge, Fast Track Special Court, Patiala to get their statements recorded. Learned Additional Sessions Judge, Fast Track Special Court, Patiala has submitted her report along with statements of the parties vide letter dated 09.07.2024 duly forwarded by the learned District & Sessions Judge, Patiala on 11.07.2024.

A perusal of the above said report would show that there are total 3 accused named in the FIR (present petitioners herein). The charge sheet under Section 173 Cr.P.C. is pending in the Court of learned Additional Sessions Judge, Fast Track, Special Court, Patiala against accused Manpreet Kaur and Gurjeet Singh. Mehakdeep Singh (petitioner No.2 herein) is a juvenile. However, all the petitioners and respondent No. 2 have appeared and suffered statements with respect to the compromise, which have been found to be valid, genuine, voluntary and without any coercion or undue influence.

Learned counsel for the petitioners submits that as per report, the petitioners and respondent No.2 are the only party to the compromise and have never been declared as proclaimed offenders. They are not involved in any other case.

Learned State counsel has stated that she has 'no objection' in case the FIR is quashed on the basis of compromise qua the petitioners.

This Court has heard the learned counsel for the parties and has perused the file.

After perusing the report submitted by the learned



Additional Sessions Judge, Fast Track, Special Court, Patiala, this Court finds that the matter has been amicably settled between the petitioners and respondent No. 2. Since the matter has been settled and the parties have decided to live in peace, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

As per the Full Bench judgment of this Court in ***“Kulwinder Singh and others Vs State of Punjab”, 2007 (3) RCR (Criminal) 1052***, it is held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the proceedings where the High Court is of the opinion that the same is required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

Hon'ble Apex Court in the case of ***“Gian Singh Vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543***, had also observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. The relevant portion of para 57 of the said judgment is reproduced here-in-below:-

“57. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent



abuse of the process of any Court.”

In view of what has been discussed here-in-above, this petition is **allowed** and FIR No. 10 dated 08.02.2024 (Annexure P-1) registered under Sections 376, 420, 406, 506, 120-B IPC at Police Station Women, Patiala, District Patiala, on the basis of Compromise dated 03.05.2024 (Annexure P-2), is ordered to be **quashed** qua the petitioners.

Pending application, if any, stands disposed of.

22.08.2024
Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No