



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

288

CRM-22237-2023 and  
CRM-22238-2023 in/and  
CRR-322-2014  
Date of decision: 12.12.2024

Satwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

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

Mr. Shiva Khurmi, AAG, Punjab.

None for respondent No.2.

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**MANJARI NEHRU KAUL, J. (ORAL)**

**CRM-22237-2023 and CRM-22238-2023**

1. Prayer in these applications is for listing the main revision petition for actual hearing and for compounding of offence under Sections 323 and 325 of the IPC in case FIR No.268 dated 06.11.2008 under Sections 325/323 of the IPC registered at Police Station Sadar, Phagwara, in view of the compromise/settlement deed (Annexure A-1).

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*



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***'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 28.11.2024 of this Court, the parties were directed to appear before the learned Trial Court at Phagwara to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Judicial Magistrate 1<sup>st</sup> Class, Phagwara, 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.

5. The learned Judicial Magistrate 1<sup>st</sup> Class, Phagwara, has annexed copies of statements of the parties alongwith his report.

6. In view of the report of the learned Judicial Magistrate 1<sup>st</sup> Class, Phagwara 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***, both the applications are allowed the offence under Sections 323 and 325 of the IPC is hereby



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compounded. Main petition is taken up on board today itself for final disposal.

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

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8. Since, offences under Sections 323 and 325 of the IPC are compounded, the revision petition preferred by the petitioner is allowed. Consequently, his conviction and order of sentence dated 17.03.2012 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Phagwara and order dated 16.01.2024 passed by learned Additional Sessions Judge, Kapurthala, are set aside.

**12.12.2024**

Vinay

**(MANJARI NEHRU KAUL)  
JUDGE**

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