



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

**CRM-M-28030-2024
Date of decision: 05.07.2024**

GURMEET KAUR AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gaganvir Singh Gill, Advocate
for the petitioners.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Sourabh Singla, Advocate for respondent No.2.

HARPREET SINGH BRAR J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of complaint bearing COMI No.4 of 2014 dated 25.09.2013 under Sections 323, 452, 354(B) & 506 of IPC, pending before learned Judicial Magistrate 1st Class, Samrala and the judgment dated 05.09.2018 (Annexure P-2), vide which the petitioners have been convicted under Sections 452, 323 & 506 of IPC as well as all the subsequent proceedings arising therefrom on the basis of compromise dated 23.05.2024 (Annexure P-4).

2. The following order was passed on 30.05.2024 :-

“This petition has been filed under Section 482 Cr.P.C. seeking quashing of complaint bearing COMI No.4 of 2014 dated 25.09.2013 under Sections 323, 452, 354(B) & 506 of IPC, pending before learned Judicial Magistrate 1st Class, Samrala and the judgment dated 05.09.2018 (Annexure P-2), vide which the petitioners have been convicted under Sections 452, 323 & 506 of IPC as well as all the subsequent proceedings arising therefrom on the basis of compromise dated 23.05.2024 (Annexure P-4).



*Learned counsel for the petitioners relies upon a judgment of the Hon'ble Supreme Court in **Ramgopal and another Vs. State of Madhya Pradesh, 2021(4) R.C.R.(Criminal) 322** and contends that even after conviction, if the parties compromise the matter, the High Court, by exercising the extra-ordinary power under Section 482 Cr.P.C. in order to secure the ends of justice, can quash all the proceedings arising of the FIR.*

Notice of motion for 05.07.2024.

At this stage, on asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondent No.1-State and Mr. Sourabh Singla, Advocate accepts notice for respondent No.2 and files his Vakalatnama, which is taken on record. Copy of the paper book be supplied to them during the course of day.

Service is complete.

In the meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate within two weeks from today or any other date convenient to the trial Court/Illaq Magistrate, to get their statements recorded regarding compromise and after recording their statements, learned trial Court/Illaq Magistrate is directed to send report regarding the genuineness of compromise and also to intimate whether any PO proceedings are pending against any of the party on or before the date fixed.

A copy of the order be sent to learned trial Court/Illaq Magistrate through fax for compliance.”

3. In compliance of the above order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

4. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466, Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and **Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition



is allowed and complaint bearing COMI No.4 of 2014 dated 25.09.2013 under Sections 323, 452, 354(B) & 506 of IPC, pending before learned Judicial Magistrate 1st Class, Samrala and the judgment dated 05.09.2018 (Annexure P-2), vide which the petitioners have been convicted under Sections 452, 323 & 506 of IPC and all consequential proceedings arising out of the same are quashed, qua the petitioners.

July 05, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |