

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

**2024:PHHC:064425**  
**CRM-M-60457-2023**  
**Date of Decision: May 08, 2024**

**Gurpej Singh and another** ...Petitioners

## Versus

**State of Haryana and others ...Respondents**

**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

**Present:-** Mr. G.S. Sandhu, Advocate for the petitioners.

Mr. Randhir Singh, Addl. A.G., Haryana.

Mr. Dinesh Maurya, Advocate for respondent Nos.2 to 4.

**DEEPAK GUPTA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.27 dated 10.01.2016, under Sections 323, 324, 326, 506, 452 and 34 of IPC, registered at Police Station Assandh, District Karnal and all subsequent proceedings arising therefrom including the judgment dated 29.03.2023 passed by learned Addl. Sessions Judge, Karnal (Annexure P-2) on the basis of compromise dated 19.04.2023 (Annexures P-3 to P-5).

2. Learned counsel for the petitioner contends that petitioner has been convicted by Trial Court vide judgment dated 29.03.2023 under Sections 324, 326 and 452 of the IPC and sentenced to undergo maximum rigorous imprisonment for 2 years in addition to fine of ₹6,000/- with default sentence. Against the said judgment of conviction and order of sentence, petitioner has filed appeal bearing No.CRA-S-1259-2023 before this Court, which is pending adjudication for 29.05.2023. Prayer is made to quash the judgment of conviction and order of sentence, as matter has since been compromised.

3. Learned counsel has referred to ***“Ramgopal and another v. State of Madhya Pradesh”*** 2021 SCC Online SC 834, to contend that criminal proceedings involving non-heinous offences or where offences are pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has been concluded and appeal stands dismissed against conviction, under extraordinary powers enjoined upon the High Court under Section 482 Cr.P.C.

4. This Court vide order dated 11.03.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

5. Pursuant to the aforesaid order, parties have appeared before learned Addl. Sessions Judge, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Addl. Sessions Judge has submitted report dated 05.04.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

6. Learned State counsel as well as learned counsel for respondent Nos.2 to 4 conceded the factum of the compromise amongst the parties and have no objection to allow the petition and set aside the impugned judgment of conviction and order of sentence on account of the compromise having been effected between the parties.

7. Consequent to the aforesaid facts and circumstances and having regard to the legal position as explained in Ramgopal's case (*supra*), the impugned judgment of conviction and order of sentence, are hereby set aside on account of the compromise between the parties.

8. In view of the aforesaid facts and circumstances, this petition is allowed and F.I.R. No.27 dated 10.01.2016, under Sections 323, 324, 326, 506, 452 and 34 of IPC, registered at Police Station Assandh, District Karnal and all subsequent proceedings arising therefrom including the judgment dated 29.03.2023 passed by learned Addl. Sessions Judge, Karnal (Annexure P-2) on the basis of compromise dated 19.04.2023 (Annexures P-3 to P-5), are quashed qua the petitioners.

May 08, 2024  
sarita

(DEEPAK GUPTA)  
JUDGE

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