

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

285 CRM-M-62532-2023  
Date of Decision : March 20, 2024

HARMINDER SINGH AND ANOTHER -PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Arpinder Singh Sidhu, Advocate for  
Mr. Parvez Akhtar Dhaliwal, Advocate  
for the petitioners.

Mr. Raghav Garg, A.A.G, Punjab.

Mr. Modit Gosain, Advocate  
for the respondents No.2 to 5.

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**KULDEEP TIWARI, J. (ORAL)**

1. Through the instant petition, as cast under Section 482 of the  
Cr.P.C., the petitioners crave for the hereinafter extracted relief(s):-

*“Quashing of FIR No.137 dated 17.07.2015 (Annexure P-1),  
under Sections 420, 467, 468, 471, 120-B of the IPC, registered  
at P.S. Division No.6, Ludhiana, District Ludhiana, along with  
all the consequential proceedings arising therefrom, on the  
basis of a Compromise Deed dated 22.12.2022 (Annexure P-  
2).”*

2. Upon an affirmative response from the learned counsel for the  
respondents No.2 to 5 *qua* the compromise (Annexure P-2), this Court had,  
through an order drawn on 14.12.2023, upon the instant petition, directed  
the parties to appear before the trial Court/Illaq Magistrate concerned, for  
getting their respective statements recorded *qua* authenticity of the  
compromise. Moreover, the trial Court/Illaq Magistrate concerned was also

directed to send a report in the above regard.

3. Consequent to the making of the directions (supra), the parties appeared before the Judicial Magistrate 1<sup>st</sup> Class, Ludhiana and got their respective statements recorded, thereby authenticating the compromise (Annexure P-2). Accordingly, in compliance of the directions (supra) of this Court, a Report has been received from the Judicial Magistrate 1<sup>st</sup> Class, Ludhiana, wherein, a satisfaction has been recorded by the Magistrate concerned *qua* the compromise being drawn in a genuine and voluntary manner, without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. A Co-ordinate Bench of this Court, in **CRM-M-25669-2020 (O&M)**, titled “**Abhishek Singh & others V/s State of Punjab & others**”, **Pronounced on: 07.04.2022**, while granting a similar relief, as craved in the instant petition, has observed as under:-

*“9. The following aspects would be relevant to conclude this petition:-*

*a) The accused and the private respondents have amicably settled the matter between them in terms of the compromise deed and the statements recorded before the concerned Court;*

*b) A perusal of the documents reveal that the settlement has not been secured through coercion, threats, social boycotts, bribes, or other dubious means;*

*c) The victim has willingly consented to the nullification of criminal proceedings;*

*d) There is no objection from the private respondents in case present FIR and consequent proceedings are quashed;*

*e) In the given facts, the occurrence does not affect public peace or tranquillity, moral turpitude or harm the social and moral fabric of the society or involve matters concerning public policy;*

*f) The rejection of compromise may also lead to ill will. The pendency of trial affects career and happiness;*

*g) There is nothing on the record to prima facie consider the accused as an unscrupulous, incorrigible, or professional offender;*

*h) The purpose of criminal jurisprudence is reformatory in nature and to work to bring peace to family, community, and society;  
i) The exercise of the inherent power for quashing the conviction, sentence and all previous proceedings is justified to secure the ends of justice.”*

6. In the light of the hereinabove recorded aspects and considering the fact that the offences, for which the petitioners/accused have been charged, are not grave in nature, as also in view of the law laid down in ***Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543*** and ***Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052***, the present petition for quashing the FIR (supra) is hereby allowed.

7. Resultantly, FIR No.137 dated 17.07.2015 (Annexure P-1), under Sections 420, 467, 468, 471, 120-B of the IPC, registered at P.S. Division No.6, Ludhiana, District Ludhiana, along with all the consequential proceedings arising therefrom, is hereby quashed, on the basis of Compromise Deed dated 22.12.2022 (Annexure P-2), subject to cost of Rs.5,000/- being forthwith deposited by the petitioners with the District Legal Services Authority concerned.

March 20, 2024  
devinder

(KULDEEP TIWARI)  
JUDGE

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |