

**114 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-28890-2024 (O&M)

Date of Decision: 16.05.2025

MOHAMMAD RAMZAN AND ANOTHER

...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abdul Aziz and Mr. K.S. Siwach, Advocates
for the petitioners.

Mr. Subhash Godara, Addl. AG Punjab.

Mr. R.S. Rana, Advocate
for respondents No. 3 to 6.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of Calandra bearing rapat No. 20 dated 15.07.2021 under Sections 182, 211 of Indian Penal Code pending in the Court of learned Judicial Magistrate Ist Class, Malerkotla and further proceedings arising out of the same on merits as well as on the basis of compromise dated 06.04.2023 (Annexure P-4).

2. Learned counsel for the petitioners *inter alia* contends that respondents No. 3 to 6 are family members and FIR No. 46 dated 26.05.2021 registered under Sections 341, 325, 323, 506, 34 read with Section 201 of IPC at Police Station City II Malerkotla was registered against the petitioners and one FIR No. 117 dated 16.10.2020, which is a cross version, was registered against the private respondents. On 06.04.2023, compromise was effected between the parties and on the basis of the compromise, FIR No. 46 (supra) was quashed by this Court vide order dated 28.02.2024 in CRM-M-52985-2023. Learned counsel for the petitioners further submits that Calandra under

**CRM-M-28890-2024 (O&M)****-2-**

Section 182 of Cr.P.C. can be quashed on the basis of compromise with the victim. Petitioners and all private respondents are closely related to each other and the compromise was effected for the betterment of all persons involved in the dispute and also to have cordial relations between the family. Further, the petitioners are not unscrupulous, incorrigible and hardened criminals and the victim has willingly consented to quash the proceedings. Learned counsel for the petitioner relies upon the judgments of this Court in ***Kulwinder Singh Vs. State of Punjab* 2007 (3) Law Herald (P&H) (FB) 2225, CRM-M-7147-2020** titled as ***Inderpreet Singh Vs. State of Punjab and Others*** decided on 05.04.2022, ***Amarjit Singh Vs. The State of Punjab* 2007(9) RCR (Criminal) 234, *Ranjit Singh Vs. State of Punjab and Others* 2014(10) RCR (Criminal) 2456** and **CRM-M-41873-2018** titled as ***Gurbachan Singh and Others Vs. State of Punjab and Others*** decided on 06.09.2022.

3. Learned State counsel has filed the reply by way of affidavit of Kuldeep Singh, PPS, Deputy Superintendent of Police, Sub Division Malerkotla, District Malerkotla on behalf of respondents No. 1 and 2. Same is taken on record and be tagged at the appropriate place. Further learned State counsel opposes the prayer made by learned counsel for the petitioners on the ground that offence contained in Section 182 of Indian Penal Code is not compoundable under Section 320 of Cr.P.C. As such the petitioners are not entitled to any relief.

4. However, learned counsel for respondents No. 3 to 6 admits the factum of compromise and submits that respondents No. 3 to 6 have no objection in case the Calandra(supra) is quashed in terms of the compromise effected between the parties.

5. In the given facts and circumstances, the alleged offences are not such that they would affect the public peace, tranquillity or harm the social and moral fabric of the society or it affects the public policy. Further, the overarching aim of the criminal jurisprudence is to promote reformatory approach in a context of nuances of the factual matrix of each case and peace and harmony should be promoted in society and further, the Calandra was also an offshoot of the FIR registered against the private respondents.

6. Having heard learned counsel for the parties after perusing the record available on record with their able assistance, this Court is of the considered opinion that it is a fit case to exercise inherent jurisdiction of this Court under Section 482 of Cr.P.C., so as to secure the ends of justice.

7. Thus, in view of the judgments cited above, the present petition is allowed and Calandra bearing rapat No. 20 dated 15.07.2021 under Sections 182, 211 of Indian Penal Code pending in the Court of learned Judicial Magistrate Ist Class, Malerkotla and further proceedings arising out of the same are quashed qua the petitioners, on the basis of compromise.

16.05.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>