

2026:PHHC:063577



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

CRA-S-379-SB-2008 (O& M)**Date of Decision:20.04.2026**

Jit Pal Singh and Ors.

...Appellants

Vs.

State of Punjab

...Respondent

(ii)**CRA-S-380-SB-2008 (O& M)**

Jagjit Singh

...Appellant

Vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Ms. Shanaya Singla, Advocate for
 Mr. Rajinder Goyal, Advocate
 for the appellants.

Mr. Charanpreet Singh, Addl. A.G., Punjab.

Mr. Rahul Verma, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. On oral request made by learned counsel for the appellants, the main case is taken on Board today itself.

2. This judgment shall dispose off two criminal appeals i.e **CRA-S-379-SB-2008 (O&M)** titled as ***“Jit Pal Singh and Ors. Vs. State of Punjab”*** and **CRA-S-380-SB-2008 (O& M)** titled as ***“Jagjit Singh Vs. State of Punjab”***, whereby, the appellants have challenged the impugned judgment of conviction and order of sentence dated 05.02.2008, passed by the Court of Sessions Judge, Mansa, whereby, the appellants were ordered to be convicted for the offence punishable under Sections 307, 325,34 of IPC and Sections 25 and 30 of Arms Act and were sentenced accordingly.

2026:PHHC:063577



3. During the pendency of the appeals before this Court, the appellants in the present appeals had filed two miscellaneous applications i.e CRM-477-2026 in criminal appeal No. CRA-S-379-SB-2008 and CRM-489-2026 in criminal appeal No. CRA-S-380-SB-2008 with a prayer to dispose off the appeals in view of the compromise between the parties.

4. Learned counsel for the appellants submits that a compromise dated 22.09.2019 was effected between the parties and it has been signed by both the parties in the present case. Even, all other litigation between the parties already stood compromised. Consequently, it was prayed that the appeals may be allowed in view of the compromise between the parties.

5. On the other hand, learned counsel appearing on behalf of complainant submits that a compromise has been effected between the parties and he has no objection in case, any appropriate order is passed by this Court, in view of the compromise between the parties.

6. I have heard learned counsel for the parties and perused the record carefully; with their able assistance.

7. The Hon'ble Supreme Court in the matter of "**Ramgopal and Anr. Vs. State of Madhya Pradesh**", **reported as 2021 (4) (RCR) (Crl) Page 322** has observed that even inherent powers can be exercised, even after conviction of the accused by the Courts and the relevant extract of the said judgment has been reproduced below:-

"19. We thus sum-up and hold that as opposed to Section 320 Cr.P.C. where the Court is squarely guided by the compromise between the parties in respect of offences 'compoundable' within the statutory framework, the extraordinary power enjoined upon a

2026:PHHC:063577



High Court under Section 482 Cr.P.C. or vested in this Court under Article 142 of the Constitution, can be invoked beyond the metes and bounds of Section 320 Cr.P.C. Nonetheless, we reiterate that such powers of wide amplitude ought to be exercised carefully in the context of quashing criminal proceedings, bearing in mind:

- (i) Nature and effect of the offence on the conscious of the society;*
- (ii) Seriousness of the injury, if any; (iii) Voluntary nature of compromise between the accused and the victim; & (iv) Conduct of the accused persons, prior to and after the occurrence of the purported offence and/or other relevant considerations.*

20. Having appraised the afore-stated para-meters and weighing upon the peculiar facts and circumstances of the two appeals before us, we are inclined to invoke powers under Article 142 and quash the criminal proceedings and consequently set aside the conviction in both the appeals. We say so for the reasons that-

Firstly, the occurrence(s) involved in these appeals can be categorized as purely personal or having overtones of criminal proceedings of private nature;

Secondly, the nature of injuries incurred, for which the Appellants have been convicted, do not appear to exhibit their mental depravity or commission of an offence of such a serious nature that quashing of which would override public interest;

Thirdly, given the nature of the offence and injuries, it is immaterial that the trial against the Appellants had been concluded or their appeal(s) against conviction stand dismissed;

Fourthly, the parties on their own volition, without any coercion or compulsion, willingly and voluntarily have burned their differences and wish to accord a quietus to their dispute(s);

Fifthly, the occurrence(s) in both the cases took place way back in the years 2000 and 1995, respectively. There is nothing on record to evince that either before or after the purported compromise, any untoward incident transpired between the parties;

Sixthly, since the Appellants and the complainant(s) are residents of the same village(s) and/or work in close vicinity, the

2026:PHHC:063577



quashing of criminal proceedings will advance peace, harmony, and fellowship amongst the parties who have decided to forget and forgive any ill- will and have no vengeance against each other, and conclusion:

***Seventhly**, the cause of administration of criminal justice system would remain un-effected on acceptarice of the amicable settlement between the parties and/or resultant acquittal of the Appellants, more so looking at their present age.*

Conclusion:

Criminal Appeal No. 1489 of 2012

21. Consequently, and for the reasons stated above, read with the settlement dated 13th September 2006, we find it appropriate to invoke our powers under Article 142 of the Constitution and quash the criminal proceedings in the aforesaid case. As a sequel thereto, all offences emanating out of the FIR leading to Criminal Appeal No. 1489 of 2012 stand annulled, and the judgment and orders passed by the trial court, appellate court and the High Court are set aside. Resultantly, the Appellants shall be deemed to have been acquitted of the charged offences for all. intents and purposes."

8. Still further, this Court has held in the matter of "**Jagjit Singh Vs.**

State of Punjab and Anr., decided on 18.09.2024 as under:-

"10. From the scheme of the Code of Criminal Procedure, it is apparent that the offences, which are non-compoundable under Section 320 Cr.P.C cannot be compounded by a Criminal Court, However, Section 320 Cr.P.C is not an embargo against invoking inherent powers of this Court under Section 482 Cr.P.C. The High Court, keeping in view the peculiar facts and circumstances of the case and for justifiable reasons can exercise its inherent powers under Section 482 Cr.P.C. to prevent abuse of the process of any court, or to secure the end of justice. Thus, the High Court can quash such proceedings in exercise of its inherent powers under Section 482 Cr.P.C., even if the offences are non-compoundable. In

2026:PHHC:063577



so far as power of quashing under Section 482 Cr.P.C. is concerned, it is guided by the material on record as to whether the ends of justice would justify such exercise of power, even though the ultimate consequence may be acquittal of the accused. The Division Bench of this Court in “Sube Singh and another Vs. State of Haryana and another, CRM-M-38140-2011, decided on 09.04.2013” has observed that non-acceptance of the compromise would also lead to denial of complete justice, which is the very essence of our justice delivery system. Since, there is no statutory embargo against invoking of power under Section 482 Cr.P.C., after conviction of an accused by the trial court and during the pendency of appeal against such conviction, the High Court could invoke the inherent jurisdiction and strike down the proceedings subject to certain safeguards.

11. In the present case also, the parties have amicably resolved all their disputes and they appeared before the Illqua Magistrate/Area Magistrate and got their statements recorded. Even, the Trial Court has recorded the satisfaction that the compromise between the parties is genuine and voluntary”.

9. In the present case, the appellants have been convicted for commission of the offence punishable under Sections 307,341,325,323,34 of IPC and 25 & 30 of Arms Act. Even, the offence under Section 307 of IPC is not compoundable between the parties. Consequently, the permission to compound the offences is declined and the conviction of the appellants in both the appeals is maintained and the impugned judgment of conviction is ordered to be upheld.

10. Now, advertent to the order of sentence in the present case, this Court cannot lose sight of the fact that the appellants in both the appeals are

2026:PHHC:063577



facing the agony of trial/appeal since 17.01.2003 i.e for the last more than 23 years. Even, all the appellants are first offenders and were never involved in any criminal activity. Apart from that, now, it is also apparent from the compromise deed, the parties have amicably resolved all their disputes and are living peacefully for the last several years. Consequently, the sentence imposed on appellants in both the appeals is reduced to the period already undergone by them. However, the amount of fine will remain the same.

11. With the above modifications, the present appeals are partly allowed and the impugned judgment of conviction is upheld, whereas, the sentence imposed on the appellants is reduced to the period already undergone by them and the amount of fine shall remain the same.

12. Case property, if any, be dealt with, and destroyed after the expiry of period of limitation for filing the appeal, in accordance with law.

13. The Trial Court record be sent back.

14. Pending application(s), if any, stand(s), disposed of, accordingly.

(N.S.SHEKHAWAT)

JUDGE

20.04.2026

hitesh

Whether speaking/reasoned

Whether reportable

`: Yes/No

: Yes/No