IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRA-S-803-SB-2012 (O&M)

Rajesh Sharma @ Ricky ...Appellant(s).

Versus

State of Punjab ...Respondent(s).

AND

CRA-S-682-SB-2012 (O&M)

Janak Dular ...Appellant(s).

Versus

State of Punjab ...Respondent(s).

Judgment reserved on	**Judgment pronounced on**	**Operative Part Pronounced or full**	**Uploaded on**
20.04.2026	**29.04.2026**	**Fully pronounced**	**29.04.2026**

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present**:** Ms. Anmol Thakur, Advocate
Mr. Sandeep Arora, Advocate
for the appellant(s) in CRA-S-803-SB-2012.
for respondent/victim in CRA-S-682-SB-2012.

Ms. Rishma Verma, Advocate
for the appellant(s) in CRA-S-682-SB-2012
for respondent/victim in CRA-S-803-SB-2012 (through VC)

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	**Dated**	**Police Station**	**Sections**
27	02.04.2007	GRPS Jalandhar	447, 353, 323, 325, 506/34 IPC

Case No.	Sessions Case No.24 of 2009

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	File No.03040003091/2009 Date of Decision: 02.02.2012
Names of convict	Rajesh Sharma @ Ricky
Conviction under sections	332 and 506 IPC
Sentence imposed (Substantial sentence)	RI for maximum period of 1½ year along with fine.

Cross-version case

FIR No.	**Dated**	**Police Station**	**Sections**
DDR No.47 dt.15.03.2008 in FIR No.27 dated 2.4.2007	15.03.2008	GRPS Jalandhar	324,325, 506 IPC

Case No.	Sessions Case No.25 of 2009 File No.03040007461/2009 Date of Decision: 02.02.2012
Names of convict	Janak Dular
Conviction under sections	325, 324, 506 IPC
Sentence imposed (Substantial sentence)	RI for maximum period of 2 years along with fine.

1. This order shall dispose of two appeals i.e. CRA-S-803-SB-2012 and CRA-S-682-SB-2012, as both arise out of the same occurrence and involve common questions of fact and law. However, for the sake of brevity, facts are being noticed from CRA-S-803-SB-2012.

2. This appellant-convict(s) had come up before this Court by filing the present appeal(s) seeking setting aside of their conviction and order of sentence.

3. Vide order dated 29.02.2012 passed in CRA-S-803-SB-2012, the appeal was admitted and the interim order passed by the trial Court suspending the substantive sentence of the appellant was extended by this Court till further orders, which continues till date. Likewise, vide order dated 17.02.2012 passed in CRA-S-682-SB-2012, the appeal was admitted and the interim order passed by the trial Court suspending the substantive sentence of the appellant was extended till the next date(s) of hearing. Thereafter, vide order dated 12.07.2012, the sentence awarded to the appellant was suspended during pendency of the appeal and further vide order dated 04.09.2012, conviction of the appellant was also stayed till final disposal of the appeal.

4. During the pendency of the appeals, the appellant-convict(s) filed applications and prayed for setting aside of judgment(s) of conviction and order(s) of sentence on the basis of compromise deed dated 21.08.2018.

5. Counsel for the parties also jointly stated before this Court that this is a case of

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version and cross-version and now, both the parties have compromised the matter with the each other. Accordingly, vide common order 10.02.2026, the parties were directed to appear before the concerned Trial Court/Illaqa Magistrate/Duty Magistrate for getting their statements recorded with regard to the compromise so arrived and the concerned Court was directed to send its report in the prescribed format of this Court.

6. Accordingly, report(s) of the concerned Court has been received, the relevant extract of which reads as follows:

CRM-3681-2026 in CRA-S-803-SB-2012

Name of the reporting Court	Civil Judge (Jr.Divn.)-cum-JMIC, Jalandhar

FIR No.	**Dated**	**Police Station**	**Sections**
27	02.04.2007	GRPS Jalandhar	447, 353, 323, 325, 506/34 IPC

1.	Names of the complainant/ victims(s)/ aggrieved persons(s)	Janak Dular
2.	Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded	19.02.2026
3.	Has the identity of the complainant/ victims(s)/ aggrieved persons(s) been verified?	Yes
4.	Whether all the victims/ all the aggrieved persons have compromised the matter?	Yes.
5.	Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?	No
6.	Names of the accused person(s)	Rajesh Kumar @ Ricky and Arun Kumar
7.	Dates on which the statement(s) of the accused persons(s) recorded	19.02.2026
8.	Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.	Yes
9.	Whether the court is satisfied with the genuineness of the compromise?	Yes

CRM-3683-2026 in CRA-S-682-SB-2012

Name of the reporting Court	Civil Judge (Jr.Divn.)-cum-JMIC, Jalandhar

FIR No.	**Dated**	**Police Station**	**Sections**
DDR No.47	15.03.2008	GRPS Jalandhar	324,325, 506 IPC

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dt.15.03.2008 in FIR No.27 dated 2.4.2007			

1.	Names of the complainant/ victims(s)/ aggrieved persons(s)	Rajesh Sharma @ Ricky
2.	Dates on which the statement(s) of the complainant/ victims(s)/ aggrieved persons(s) were recorded	19.02.2026
3.	Has the identity of the complainant/ victims(s)/ aggrieved persons(s) been verified?	Yes
4.	Whether all the victims/ all the aggrieved persons have compromised the matter?	Yes.
5.	Is there pressure, threat, or coercion upon the victim(s)/aggrieved person(s)/complainant?	No
6.	Names of the accused person(s)	Janak Dular
7.	Dates on which the statement(s) of the accused persons(s) recorded	19.02.2026
8.	Whether all the accused have compromised the matter? If no, then the names of the accused who have compromised.	Yes
9.	Whether the court is satisfied with the genuineness of the compromise?	Yes

7. The injured-complainants and accused-convicts appeared before the Court of Civil Judge (Jr. Divn.)-cum-JMIC, Jalandhar and categorically stated that they have voluntarily entered into compromise and have no objection if the judgments of conviction and orders of sentence are set aside. Once the parties have buried the hatchet and restored harmony, continuation of criminal proceedings would serve no useful purpose and would only perpetuate bitterness.

8. It is true that offences under Sections 332 and 324 IPC are not compoundable under Section 320 CrPC/Section 359 BNSS. However, in peculiar facts and circumstances of the present case, where parties have amicably resolved the dispute arising out of a private altercation, this Court can invoke its inherent jurisdiction to secure the ends of justice.

9. Hon'ble Supreme Court as well as this Court in a catena of judgments, have held that even post-conviction, where parties have genuinely compromised and continuation of proceedings would be futile, the Court may exercise inherent powers to quash proceedings or set aside conviction in order to secure complete justice. It would be relevant to refer to the judicial precedents in which the convictions were set aside based on the compromise.:

a). In ***Ram Prasad and Another v. State of Uttar Pardesh***, Cr.A Nos. 308-309 of 1980, decided on April 21, 1980, Hon'ble Supreme Court

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converted the conviction from 307 IPC to 324 IPC and after that based on compromise, accepted the compounding of offence under section 324 IPC and acquitted the appellants.

b). In ***Ramji Lal v. State of Haryana***, (1983) 1 SCC 368, Hon'ble Supreme Court, in a matter arising against the conviction under section 325 IPC, held,

> [5]. All the offences for which the appellants are convicted are compoundable and the compromise can be entered into with the permission of the court. Looking to the chastened attitude of the accused and the commendable attitude of the injured complainant, in order to restore harmony in the society, we accept the compromise. We grant permission to enter into the compromise and accept the same. We accordingly allow the appeal and set aside the conviction and sentence imposed on both the appellants. If they are on bail, their bail-bonds will be cancelled. If they are in jail, they will be released from the jail forthwith.

c). In ***Mohd. Rafi v. State of U.P.,*** 1998(2) R.C.R.(Criminal) 455, Supreme Court, the convict had gone to Hon'ble Supreme Court against his conviction by the trial Court under Sections 323 and 325 of IPC, which was upheld by Sessions and High Court. After that, the convict and the victim entered into an out-of-court compromise. Hon'ble Supreme Court analyzed the parties' affidavits filed in support of the compromise and observed that parties had willingly and voluntarily settled the matter. To maintain good relations, Hon'ble Supreme Court granted permission to them to compound the said offenses and order the acquittal.

d). In ***M.D. Balal Mian v. State of Bihar***, 2001 AIR (SCW) 5190, out of three convicts, one was convicted under Section 376 IPC, and the other two were convicted only under Sections 325 & 323 of IPC. After the High Court confirmed the conviction and sentence, all three convicts approached Hon'ble Supreme Court. Although Hon'ble Supreme Court did not find any scope for granting special leave by the convict challenging his conviction under section 376 IPC, however, granted the other permission to the other two convicts to compound the offences under Section 320 (8) of the Criminal Procedure Code and acquitted both of them.

e). In ***Khursheed and others v. State of U.P***, Appeal (crl.) 1302 of 2007, decided on 28-9-2007, the appellants were convicted by Trial Court under sections 325, 323 read with 34 IPC. Their appeal against conviction was dismissed by the Sessions Court and revision petition was also dismissed by High Court. The convicts approached the Apex Court and

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Hon'ble Supreme Court held,

> [12]. An offence of causing grievous hurt punishable under Section 325 IPC is covered by sub- section (2) of Section 320 of the Code. It is thus clear that an offence punishable under Section 325 IPC is also compounded with the permission of the Court.
> [13]. The parties have compounded the offences. As stated in the compromise deed, Gurfan Ahmad, complainant and his mother Kulsoom @ Bhoori (injured) did not want any action against the appellants (accused). The parties are neighbours, their houses are situated adjacent to each other and they have been living peacefully for last many years and there is no dispute among them. It is further stated that to continue sweet relationship and harmony, complainant side does not want to take any action against the accused. A prayer is, therefore, made to accept the compromise.
> [14]. On the facts and in the circumstances of the case, and considering the Deed of Compromise and having heard learned counsel for the parties, in our opinion, ends of justice would be met if we grant necessary permission for compounding an offence punishable under Section 325 read with Section 34 IPC as required by sub-section (2) of Section 320 of the Code. The offence punishable under Section 323 IPC has already been compounded by the parties.
> [15]. Sub-section (8) of Section 320 states that the compounding of offence under the section shall have an effect of acquittal of the accused with whom the offence has been compounded. The resultant effect of compounding of offences would be that the accused should be acquitted. In other words, once the offences have been compounded and the requisite permission is granted by the Court, the accused must be acquitted.

f). In ***Manoj & Anr. v. State of Madhya Pradesh***, Cr. A No. 1530 of 2008, Hon'ble Supreme Court, based on compromise, accepted the compounding of the offence under section 324 IPC and acquitted the appellants.

g). In ***Md. Abdul Sufan Laskar v. State of Assam***, (2008) 9 SCC 333, based on a compromise, Hon'ble Supreme Court set aside the conviction and sentence under section 324 IPC. Hon'ble Supreme Court took similar views in Mathura Singh v. State of U.P., 2009(13) SCC 420 and in Gampa Govindu v. State of Andhra Pradesh thr. Public Prosecutor, 2008(sup) Cri. L.R. 440: Law Finder Doc Id # 521064.

h). In ***Hirabhai Jhaverbhai v. State of Gujarat***, (2010) 6 SCC 688, permitting the parties to compromise the conviction under section 324 IPC, Hon'ble Supreme Court holds, "The injured complainant and two other injured are permitted to compound the offence punishable under Section 324

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Indian Penal Code. In view of sub-section (8) of Section 320 of the Code of Criminal Procedure, the composition of offence under section 324 Indian Penal Code shall have the effect of an acquittal of the appellant with whom the offence has been compounded."

i). In ***Surat Singh v. State of Uttaranchal (Now Uttarakhand),*** 2012(12) SCC 772, Hon'ble Supreme Court, based on compromise, permitted the parties to compound their offences under section 354 and 506 IPC.

j). in ***Jeetu Vs. State of Chhattisgarh***, 2013 11 SCC 489 it is the duty of the appellate Court to arrive at its own independent conclusion after examining the material on record. This exercise has however to be conducted after considering the material on record. There is no power conferred by the Code either on the appellate Court/revisional Court to acquit an accused convicted for a commission of a non-compoundable offence only on the ground that compromise has been entered into between the convict and the informant/complainant.

k). In ***Padmalayan v. Sarasan***, (2014) 13 SCC 798, Hon'ble Supreme Court permitted post-conviction compromise for offence under section 324 IPC.

l). In ***Sathiyamoorthy v. State***, 2014(3) R.C.R.(Criminal) 867, after observing that after the compromise they have been staying peacefully in the village. It is in the interest of both sides to bury the hatchet and lead a peaceful life, Hon'ble Supreme Court holds,

> [6]. Offences under Sections 341 and 325 are compoundable. In view of the settlement they can be permitted to be compounded. However, offences under Sections 148 and 149 of the IPC are not compoundable. Hence, permission to compound them cannot be granted. However, since the accused and the victim have entered into a compromise, we feel that it would be in the interest of both sides to reduce the sentence awarded to the accused under Sections 325 and 341 of the IPC to the sentence already undergone.
>
> [7]. In *Ram Lal and anr. v. State of J & K, 2000(1) R.C.R.(Criminal) 92 : (1999)2 SCC 213* the accused were convicted for offence under Section 326 of the IPC, which is non-compoundable. Looking to the fact that the parties had arrived at a settlement and victim had no grievance, this Court reduced the sentence for the offence under Section 326 to sentence already undergone by the appellants-accused. We are inclined to follow similar course.
>
> 8. In the result, the appeal is partly allowed. The offences under Sections 341 and 325 of the IPC, for which the appellants are convicted, are permitted to be compounded because they are compoundable. The appellants are acquitted of the said offences. The appellants are stated to

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> have undergone more than six months imprisonment. So far as offences under Sections 148 and 149 of the IPC are concerned, the conviction of the appellants for the said offences is reduced to the sentence already undergone by them subject to the appellants paying L 30,000/- as compensation to victim-Murugesan. Compensation be paid within three months from the date of this judgment.

m). In ***Shankar Yadav v. State of Chhattisgarh***, Cr.A 982 of 2017 Law Finder Doc Id # 8378562, Hon'ble Supreme Court while permitting post-conviction compromise, by holding the offence to fall under section 324 IPC, held,

> [8]. Having regard to the facts and circumstances of the case, we see no reasons to refuse permission to the parties who have compromised the offences which were compoundable under the Code as it stood in 1998. If it is so, compounding can be permitted and the appellants-accused can be acquitted in view of Section 320 (8) of the Cr.P.C., which expressly enacts that where the composition of an offence under this section is recorded by the court, it shall have effect of an acquittal of the accused with whom the offence has been compounded. We order accordingly.

n). In ***Sube Singh v. State of Haryana***, **2013:PHHC:026805-DB [Para 17, 21],** 2013 (4) RCR (Cri) 102, a Division Bench of this Court holds,

> [17]. The magnitude of inherent jurisdiction exercisable by the High Court under Section 482 Criminal Procedure Code with a view to prevent the abuse of law or to secure the ends of justice, however, is wide enough to include its power to quash the proceedings in relation to not only the non-compoundable offences notwithstanding the bar under Section 320 Criminal Procedure Code but such a power, in our considered view, is exercisable at any stage save that there is no express bar and invoking of such power is fully justified on facts and circumstances of the case.
>
> [21]. In the light of these peculiar facts and circumstances where not only the parties but their close relatives (including daughter and son-in-law of respondent No. 2) have also supported the amicable settlement, we are of the considered view that the negation of the compromise would disharmonize the relationship and cause a permanent rift amongst the family members who are living together as a joint family. 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 Criminal Procedure Code after conviction of an accused by the trial Court and during pendency of appeal against such conviction, it appears to be a fit case to invoke the inherent jurisdiction and strike down the proceedings subject to certain safeguards.

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o). In ***Ram Prasad and Another v. State of Uttar Pardesh***, Cr.A Nos. 308-309 of 1980, decided on April 21, 1980, Hon'ble Supreme Court converted the conviction from 307 IPC to 324 IPC and after that based on compromise, accepted the compounding of offence under section 324 IPC and acquitted the appellants.

p). In ***Ramji Lal v. State of Haryana***, (1983) 1 SCC 368, Hon'ble Supreme Court, in a matter arising against the conviction under section 325 IPC, held,

> [5]. All the offences for which the appellants are convicted are compoundable and the compromise can be entered into with the permission of the court. Looking to the chastened attitude of the accused and the commendable attitude of the injured complainant, in order to restore harmony in the society, we accept the compromise. We grant permission to enter into the compromise and accept the same. We accordingly allow the appeal and set aside the conviction and sentence imposed on both the appellants. If they are on bail, their bail-bonds will be cancelled. If they are in jail, they will be released from the jail forthwith.

q). In ***Mohd. Rafi v. State of U.P.,*** 1998(2) R.C.R.(Criminal) 455, Supreme Court, the convict had gone to Hon'ble Supreme Court against his conviction by the trial Court under Sections 323 and 325 of IPC, which was upheld by Sessions and High Court. After that, the convict and the victim entered into an out-of-court compromise. Hon'ble Supreme Court analyzed the parties' affidavits filed in support of the compromise and observed that parties had willingly and voluntarily settled the matter. To maintain good relations, Hon'ble Supreme Court granted permission to them to compound the said offenses and order the acquittal.

10. In the entirety of the facts and circumstances of the case, and keeping in view the genuine compromise arrived at between the parties, continuation of the proceedings qua the appellant-convict(s) would serve no useful purpose. Rather, acceptance of the compromise would promote peace and harmony between the parties. In view of the above, this is a fit case where this Court should bring the prosecution to an end. Accordingly, the judgment(s) of conviction and order(s) of sentence *qua* the convict/appellants are set aside, and their bail bonds are discharged.

11. Consequently, both the appeals are allowed. The judgments of conviction and orders of sentence passed by the learned Additional Sessions Judge, Jalandhar in both the aforesaid appeals are hereby set aside. Bail bonds, if any, furnished by the appellant(s) shall stand discharged. The appellant(s)-convicts are acquitted of the charges framed against

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them. The amount of fine, if deposited, shall stand forfeited in favour of the State, as costs of proceedings. All pending application(s), if any, stand closed.

(ANOOP CHITKARA)
JUDGE

April **29,** 2026
AK

Whether speaking/reasoned : Yes
Whether reportable : No

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