

107

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-774-SB-2004(O&M)
Date of decision: 09.02.2026.

Pritam Singh and others

...Appellants

vs.

State of Punjab

...Respondent

Coram : **Hon’ble Mr. Justice N.S.Shekhawat**
 Hon’ble Mr. Justice H.S.Grewal

Present : Mr. Kulwant Singh Boparai, Advocate
 for the appellants.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Pawan Kumar, Senior Advocate with
Ms. Vidushi Kumar, Advocate and
Mrs. Seema Rani, Advocate
for the complainant.

N.S.Shekhawat J.

1. The appellants have filed the present appeal against the impugned judgment of conviction and order of sentence dated 20.03.2004 passed by the learned Additional Sessions Judge (Adhoc), Fast Track Court, Ludhiana, whereby, the appellants were convicted for the commission of offences punishable under Sections 459, 326, 324, 323 read with Section 34 of IPC and were sentenced as under:-

Offence	Imprisonment	In default of fine
Accused Pritam Singh		
U/s 459 IPC	RI for 03 years and Rs.500/- fine	RI for three months
U/s 326 IPC	RI for 03 years and Rs.500/- fine	RI for three months

U/s 324/34 IPC	RI for 02 years	
U/s 323/34 IPC	RI for 06 months	
Accused Gurjit Singh		
U/s 459 IPC	RI for 03 years and Rs.500/- fine	RI for three months
U/s 326/34 IPC	RI for 03 years and Rs.500/- fine	RI for three months
U/s 324 IPC	RI for 02 years	
U/s 323/34 IPC	RI for 06 months	
Accused Ajaib Kaur		
U/s 459 IPC	RI for 03 years and Rs.500/- fine	RI for three months
U/s 326/34 IPC	RI for 03 years and Rs.500/- fine	RI for three months
U/s 324/34 IPC	RI for 02 years	
U/s 323 IPC	RI for 06 months	

2. During the pendency of the present appeal before this Court, the appellants have moved an application under Section 320 Cr.P.C. seeking permission to compound the offences and for setting aside the judgment of conviction and order of sentence dated 20.03.2004 passed by the learned Additional Sessions Judge (Adhoc), Fast Track Court, Ludhiana, in view of the compromise (Annexure C-I) effected between the parties.

3. Learned counsel appearing on behalf of the appellants submits that the FIR in the present case was registered on 25.06.2001 and thereafter, the impugned judgment was passed on 20.03.2004 by the trial Court. The accused, Pritam Singh, appellant No.1 and the complainant-Karnail Singh are real brothers. Even Gurjit Singh, appellant No.2 is son of Pritam Singh, whereas Ajaib Kaur, appellant No.3 is wife of Pritam Singh. Thus, it was a family dispute between brothers and with the intervention of the respectables of the



village, the parties had entered into a compromise, which has been annexed as Annexure C-I. Even the parties are living peacefully and in view of the compromise, they may be permitted to compound the offences and the conviction may be set aside.

3. On the other hand, a short reply has been filed by way of an affidavit of Karnail Singh S/o Sher Singh in the present case and the same is taken on record. Learned counsel appearing on behalf of the respondent-complainant submits that he has no objection if the offences are compounded in view of the compromise (Annexure C-I) as it was a family dispute and is pending for the last about 25 years. He further contends that after the compromise, both the sides are living peacefully and the application filed by the appellants may be allowed.

4. We have heard learned counsel for the parties and perused the record carefully.

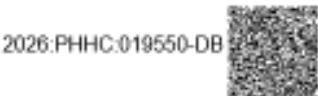
5. The only question, which arises for consideration before this Court is whether this Court can quash the instant FIR along with the judgment of conviction/sentence, while exercising the inherent powers provided under Section 482 Cr. P.C. Section 482 Cr.P.C., which deals with inherent power of the High Court reads as under:-

“482. Saving of inherent powers of High Court. Nothing in this Code shall be deemed to limit or affect the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under this Code, or to prevent abuse of the process of any Court or otherwise to secure the ends of justice.”



6. 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 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.

7. In view of the fact that the parties have amicably resolved all their disputes and they belonged to the same family, the impugned judgment of conviction and order of sentence dated 20.03.2004 passed by the learned



Additional Sessions Judge (Adhoc), Fast Track Court, Ludhiana are set aside, in view of the compromise (Annexure C-I).

8. As a consequence, the present appeal filed by the appellants is allowed and they are ordered to be acquitted of the charge.

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

(N.S.SHEKHAWAT)
JUDGE

(H.S.GREWAL)
JUDGE

09.02.2026

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