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

**CRR-1829-2012 (O&M)
Date of Decision:06.04.2026**

Rupinder Singh @ Pinki

...Petitioners

Vs.

State of Punjab

...Respondent

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

Present: Mr. Amarpreet Singh, Advocate for
Mr. Binderjet Singh, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

Mr. Inderpal Singh Parmar, Advocate
for the complainant (POA filed).

N.S.Shekhawat J. (Oral)**CRM-824-2026**

1. Application is allowed as prayed for, subject to just all exceptions.
2. Annexures A-1 and A-2 are taken on record.

Main case

1. The petitioner has filed the present revision petition against the impugned judgment dated 17.04.2012 passed by the Court of Sessions Judge, Bathinda and the impugned judgment of conviction and order of sentence dated 09.09.2011, passed by the Court of Judicial Magistrate Ist Class, Phul, whereby the petitioner was ordered to be convicted for the offences punishable under Sections 323 and 325 of IPC and was sentenced as under:-



Under Section 323 IPC	R.I for a period of three months and to pay a fine of Rs.500, in default of payment of fine, to further undergo SI for a period of 15 days.
Under Section 325 IPC	R.I for a period of nine months and to pay a fine of Rs.500, in default of payment of fine, to further undergo SI for a period of 15 days.

2. During the pendency of the present revision petition before this Court, the petitioner had moved the application under Section 528 of B.N.S.S with a prayer to allow the parties to compound the offences in the present case.
3. Learned counsel for the petitioner contends that the incident in the present case had occurred on 14.09.2007. At that time, both the parties were young and the occurrence had taken place at the spur of the moment. Now, a period of more than 18 years has elapsed and the complainant & the petitioner have developed cordial relations for the past 18 years and are living in the village peacefully. Even, he referred to the compromise deed (Annexure A-1) in this regard and affidavit of the complainant was also annexed as (Annexure A-2). Consequently, he prays that the parties may be allowed to compound the offences.
4. On the other hand, learned counsel appearing on behalf of the complainant also submits that the parties have already entered into a compromise and he has no objection, in case, the present petition is allowed and the petitioner is ordered to be acquitted by this Court.
5. I have heard the learned counsel for the parties and with their able assistance, I have gone through the trial Court record carefully.
6. In the present case, after conviction of the petitioner, better sense



has already prevailed on the parties and they have already executed a compromise deed (Annexure A-1). Even, 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 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 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."

7. 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 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”.

8. In view of the above discussion, this court is of the considered view that the impugned judgment dated 17.04.2012 passed by the Court of Sessions Judge, Bathinda and the impugned judgment of conviction and order



of sentence dated 09.09.2011, passed by the Court of Judicial Magistrate Ist Class, Phul are ordered to be set aside by this Court.

- 9. As a consequence, the present revision petition is allowed and the petitioner is ordered to be acquitted of the charge.
- 10. Ordered accordingly.
- 11. Pending application(s), if any, stand(s), disposed of, accordingly.

06.04.2026
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(N.S.SHEKHAWAT)
JUDGE

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