



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

265

CRM-M-55096-2025 (O&M)

Date of decision: 27.04.2026

Sunder Lal and Another

...Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Satish Kumar, Advocate for the petitioners

Mr. Ravneet Singh Lekhi, AAG Punjab

Mr. Satish Mishra and Ms. Anuradha Kumari, Advocates
for respondent No.2

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed for quashing of order of conviction dated 16.02.2015 passed by learned Judicial Magistrate 1st Class, Faridkot in complaint case No.RT-717-2014 (NACT-1044-2013), filed under Section 138 of NI Act, and all other consequential proceedings arising therefrom on the basis of the compromise dated 27.05.2025 (Annexure P-4).
2. Heard learned counsel for the parties and also gone through the case file.
3. This Court vide order dated 16.01.2026, directed the parties to appear before the trial Court/Illaq Magistrate for recording their statements with regard to the compromise.
4. Pursuant to the aforesaid order, report dated 06.02.2026 has been received from the learned Judicial Magistrate 1st Class, Faridkot. A perusal of the said report reveals that statements of the concerned persons have been

recorded in the present case, who have stated that the matter has been settled between them and they have no objection in case the order of conviction in question is quashed. The compromise effected between them is genuine, without any undue influence and coercion.

5. The Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab**, 2007 (3) RCR (Criminal) 1052, held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the prosecution where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

6. Hon'ble the Supreme Court in the case of **Gian Singh vs. State of Punjab and another**, 2012 (4) RCR (Criminal) 543, had observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. The relevant portion of para 57 of the said judgment reads thus:-

“57. The position that emerges from the above discussion can be summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code.

Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. XXX---XXX”

7. Hon'ble The Supreme Court in **Ramgopal vs. State of M.P.**, 2021 SCC OnLine SC 834 while acquitting the accused on the basis of the

compromise arrived at between the parties had observed that, “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 extra-ordinary 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.”

8. Further, while compounding a non-compoundable offence after a compromise had been effected, this Court in **Sube Singh and another vs. State of Haryana and another**, 2013(4) RCR (Criminal) 102 had held that, “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 Cr.P.C. 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.”

9. Applying the ratio of the abovesaid judgment to the facts of the present case that the petitioners have clean antecedents; parties are neighbours and residing in the immediate vicinity of each other, who have amicably resolved the dispute, that relates to the year 2014, this Court finds that quashing the impugned complaint and subsequent proceedings arising therefrom will accord a quietus to all disputes between the parties and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be quashed.

10. Resultantly, the present petition is allowed and order of conviction dated 16.02.2015 passed by learned Judicial Magistrate 1st Class, Faridkot in complaint case No.RT-717-2014 (NACT-1044-2013), filed under Section 138 of NI Act, and all other consequential proceedings arising therefrom are quashed qua the petitioners on the basis of the compromise dated 27.05.2024.

(AMAN CHAUDHARY)
JUDGE

27.04.2026
M.Kamra

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