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

**CRM-22523-2025 in/and
CRM-M-43170-2024 (O&M)
DATE OF DECISION: 28.05.2025**

DARSHAN SINGH AND OTHERS

...PETITIONERS

Versus

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Lupil Gupta, Advocate for the applicant/petitioner(s).
Mr. Sandeep Singh, AAG, Punjab.
Mr. Rahul, Advocate for respondents No. 2 and 3.

SANDEEP MOUDGIL, J (ORAL)

CRM-22523-2025

This application has been filed for placing on record copies of compromise deed dated 30.04.2025 (Annexure A-1) as well as copy of affidavit of respondent No.2 dated 30.04.2025 (Annexure A-2).

For the reasons recorded in the application, the same is allowed and above said documents i.e. Annexure A-1 and A-2, are taken on record.

CRM-22524-2025

This application has been filed for permission to implead Baljeet Singh minor son of Ranjet Singh r/on Basti Nanaksar, Sandhwan District Faridkot through his father and natural guardian Ranjeet Singh as respondent No. 3.



For the reasons mentioned in the application and keeping in view the submission made by counsel for the applicant, the application is allowed subject to all just exception and the person mentioned in paragraph No.3 of the application is impleaded as respondent No.3.

Amended Memo of Parties is taken on record.

CRM-22525-2025

This application has been filed for addition of offence under Section 201 IPC in the main petition.

For the reasons mentioned in the application and keeping in view the submission made by counsel for the applicant, the application is allowed and the offence under Section 201, IPC is ordered to be added in the main petition.

Main case

This petition has been filed under Section 528 of BNSS 2023 praying for quashing of F.I.R. No.104 dated 15.08.2022, U/s 324, 323, 148, 149/201 IPC 1860, Police Station Sadar Kotkapura, District Faridkot, Annexure P-1, as well as all subsequent proceedings, on the basis of compromise/ affidavit dated 30.04.2025, Annexure A-1 and A-2, as well as the law laid down by this Court in '***Kulwinder Singh and others Vs. State of Punjab and another 2007 (3) RCF (Criminal) 1052***'.

During the pendency of the dispute, the parties have compromised the matter and filed the present petition for quashing of the impugned order.



Vide order dated 12.05.2025, parties were directed to appear before the Illaqa Magistrate/Trial Court and report with regard to the genuineness of the compromise was called for.

The report dated 23.05.2025 has been received from Judicial Magistrate First Class, Faridkot, stating that the parties have entered into a compromise, which is genuine, voluntary and without any coercion or undue influence.

Learned counsel for respondents No.2 and 3 submits that he has no objection if the petition is allowed.

Full Bench of this Court in '***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***', has held:-

“The only inevitable conclusion from the above discussion is that there is no statutory bar under the Cr.P.C. which can affect the inherent power of this Court under Section 482. Further, the same cannot be limited to matrimonial cases alone and the Court has the wide power to quash the proceedings even in noncompoundable offences notwithstanding the bar under Section 320 of the Cr.P.C., in order to prevent the abuse of law and to secure the ends of justice.

The power under Section 482 of the Cr.P.C. is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court. There can neither be an exhaustive list nor the defined para-meters to enable a High Court to invoke or exercise its inherent powers. It will always depend upon the facts and circumstances of each case. The power under Section 482 of the Cr.P.C. has no limits. However, the High Court will exercise it sparingly and with utmost care and caution. The exercise of power has to be with circumspection and restraint. The Court is a vital and an extra-ordinary effective instrument to maintain and control social order. The Courts play role of paramount importance in achieving peace, harmony and ever- lasting congeniality in society. Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.”



The legal principles as laid down for quashing of the judgment were also approved by the Hon'ble Supreme Court in the matter of '*Gian Singh Versus State of Punjab and another,(2012) 10 SCC 303*'. Furthermore, the broad principles for exercising the powers under Section 482 were summarized by the Hon'ble Supreme Court in the matter of '*Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others versus State of Gujarat and another*' (2017) 9 SCC 641'.

It is evident that in view of the amicable resolution of the issues amongst the parties, no useful purpose would be served by continuation of the proceedings. The furtherance of the proceedings is likely to be a waste of judicial time and there appears to be no chances of conviction.

Moreover, compromise deed as well as affidavit i.e. Annexure A-1 and A-2 respectively are already on record.

In view of above, F.I.R. No.104 dated 15.08.2022, U/s 324, 323, 148, 149, 201 IPC 1860, Police Station Sadar Kotkapura, District Faridkot, Annexure P-1, as well as all subsequent proceedings, on the basis of compromise/ affidavit dated 30.04.2025, Annexure A-1 and A-2 is quashed qua the petitioner(s).

The present petition is hereby allowed.

(SANDEEP MOUDGIL)
JUDGE

28.05.2025
anuradha

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*