

**(2010) 11 P&H CK 0246**  
**In the Punjab And Haryana At Chandigarh**  
**Case No : CRM M-16470 of 2010**

Ravinder Singh Bedi

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

---

**Date of Decision :** 15-11-2010

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 320, 482  
Penal Code, 1860 (IPC) — Section 354, 420, 506

**Citation :** (2010) 11 P&H CK 0246

**Hon'ble Judges :** Nirmaljit Kaur, J

**Bench :** Single Bench

**Final Decision :** Allowed

---

## Judgement

Nirmaljit Kaur, J

1. The present petition has been filed u/s 482 Code of Criminal Procedure for quashing of FIR No. 37 dated 9.3.2007 under Sections 354, 420, 506 IPC Police Station Division No. 6, Ludhiana and subsequent proceedings arising therefrom on the basis of compromise entered into between the parties.
2. The FIR in question was got registered by Respondent No. 2. However, the matter has been compromised. Compromise deed (Annexure P-2) has been placed on record.
3. The parties are present in person through their respective counsel.
4. Learned Counsel appearing on behalf of Respondent No. 2 has placed on record the affidavit of Respondent No. 2 authenticating the compromise. As per the affidavit, Respondent No. 2 has no objection if the FIR in question is quashed.
5. The Full Bench of this Court, in the case of Kulwinder Singh and Ors. v. State of Punjab and Anr. 2007(3) RCR 1052 has held that the compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power u/s 482 of the Code of Criminal Procedure is used

to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is "finest hour of justice". Disputes which have their genesis not only in matrimonial discord but others as well, such compromise deserves to be accepted. It is further held as under:

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

6. In the case of Madan Mohan Abbot Vs. State of Punjab, , the Apex Court emphasised and advised as under:

We need to emphasise that it is perhaps advisable that in disputes where the question involved is of a purely personal nature, the court should ordinarily accept the terms of the compromise even in criminal proceedings as keeping the matter alive with no possibility of a result in favour of the prosecution is a luxury which the courts, grossly overburdened as they are, cannot afford and that the time so saved can be utilised in deciding more effective and meaningful litigation. This is a common sense approach to the matter based on ground of realities and bereft of the technicalities of the law.

7. Taking into account that the compromise has been effected between the parties, compromise (Annexure P-2) and the affidavit of Respondent No. 2 stating that she has no objection if the FIR is quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers u/s 482 Code of Criminal Procedure for quashing of FIR in the interest of justice.

8. Accordingly, the present petition is allowed and FIR No. 37 dated 9.3.2007 under Sections 354, 420, 506 IPC Police Station Division No. 6, Ludhiana and all subsequent proceedings arising therefrom are hereby quashed.