

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

CRM-M- 11482 of 2015 (O&M)

Date of Order: 01.10.2015

Yaman Bhardwaj and Ors.

....Petitioners

Versus

UT Chandigarh and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sushil Bhardwaj, Advocate for the petitioners.

Mr. G.S. Chahal, Addl. P.P for UT, Chandigarh/
respondent No.1.

Mr. Anil K. Ahluwalia, Advocate for respondent No.2.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J (ORAL)

Prayer is for quashing of FIR No.752 dated 28.12.2013 under Sections 406/498-A IPC, P.S South Sector 34, Chandigarh and sbusequent proceedings arising therefrom on the basis of compromise (P.2).

It is stated that as per settlement arrived at the Mediation Centre between the parties, a final amount of Rs.3,50,000/- has been handed over to respondent No.2 before the Mediator. Both the parties have undertaken to comply with the terms and conditions of the present compromise (P.2).

The Hon'ble Supreme Court in **Gian Singh v. State of Punjab and another** reported as 2012(4) RCR(Criminal) 543 has discussed in detail the inherent powers of High Court in quashing a criminal proceeding or FIR

or complaint where the parties have entered into compromise except the cases which involve offences such as murder, rape dacoity etc. as such offences are not private in nature and have serious impact on society.

In view of the above judicial pronouncement, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

Consequently, this petition is allowed and the above said FIR and all consequential proceedings arising therefrom are quashed qua the petitioners.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

October 01, 2015
manoj

(AJAY TEWARI)
JUDGE