

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

**C.R.M-M No.11905 of 2015
Date of Decision : 13.08.2015**

Kuldip Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. A.D.S. Sukhija, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

None 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)

This petition has been filed for quashing of FIR No.44 dated 07.03.2014 registered under Section 420 IPC at Police Station Sadar, Amritsar alongwith all consequential proceedings arising therefrom.

On 13.07.2015 the following order was passed in CRM-M-30172-2014:-

“List on 13.08.2015.

Meanwhile, parties are directed to be present before the trial Court on 30.07.2015 or any other date convenient to the Court for recording their statements with regard to

compromise. Trial Court is directed to record the statements of both the parties to its satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. Trial Court is also directed to send the report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any case is pending against either of the parties or not before the next date of hearing. Trial Court is also directed to intimate with regard to pendency of any P.O. proceedings against the parties.

Interim order to continue.

Photocopy of this order be placed on the file of another connected case.”

Thereafter, the report of the Additional Chief Judicial Magistrate, Amritsar dated 10.08.2015 has been received whereby he has mentioned that the parties had appeared before him and had attested to the fact that a compromise has indeed taken place between them and that the compromise has been executed voluntarily and without any pressure.

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 petitioner.

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

August 13, 2015

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**(AJAY TEWARI)
JUDGE**