

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

**C.R.M-M No.14691-2015 (O&M)
Date of Decision : 27.08.2015**

Pardeep Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Deepak Aggarwal, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

Mr. Sandeep Sharma, 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)

The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.35 dated 27.03.2015 registered under Sections 365/34 IPC at Police Station Nathana, District Bathinda and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 14.05.2015 the following order was passed:-

“ Notice of motion.

State counsel, who is present in Court, accepts notice on

behalf of respondent No. 1 while Mr. Sandeep Sharma, Advocate, accepts notice on behalf of respondent No. 2 and filed vakalatnama.

Counsel on either side submit that the matter has been compromised between the parties.

The parties are directed to appear before the trial Court on 02.07.2015, on which date the trial Magistrate shall record their statements along with opinion about the genuineness of the compromise. A report shall be made after doing the needful with further report as to whether any of the accused/petitioners was declared proclaimed offender at any stage and whether or not any other criminal case is pending against the accused, i.e. the petitioners.

Report of the trial Court be awaited for 27.08.2015.”

Thereafter, the report of the Principal Magistrate, Juvenile Justice Board, Bathinda dated 08.07.2015 has been received whereby she has mentioned that the parties had appeared before her 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 petitioners.

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

27.08.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**