

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

**CRM-M-1557 of 2014 (O&M)
Date of Decision:16.01.2015**

Gurpreet Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI.

Present: Mr. G.S.Nahelan, Advocate for the petitioners.

Mr. Deepak Garg, AAG, Punjab.

- i)Whether Reporters of local papers may be allowed to see the judgment?
- ii)To be referred to the Reporters or not?
- iii)Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (ORAL)

On 10.11.2014 the following order was passed:-

“This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.201 dated 09.12.2013 under Sections 323, 341, 506, 148 149 of the IPC registered at Police Station Monak, District Sangrur, on the basis of compromise (Annexure P-2).

Since, the present petition is for quashing of FIR, the parties are directed to be present before the Ilaqua Magistrate on 16.12.2014 or any other date convenient to the Court for recording their statements with regard to compromise. The Ilaqua Magistrate 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. The Ilaqua Magistrate is also directed to send a 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 other case is pending against either of the parties or not before the next date of hearing.

Adjourned to 16.01.2015 for awaiting the report of the Ilaqua Magistrate.”

Thereafter, the report of the Sub Division Judicial Magistrate, Moonak dated 07.01.2015 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 petitioners.

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

16.01.2015

Mohan/prince

(AJAY TEWARI)
JUDGE