

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

CRM-M No. 17178 of 2015 (O&M)

Date of decision :10.08.2015

**Ranjeet Singh alias Inderjeet Singh
and others**

..... Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Amandeep Singh Cheema, Advocate
for the petitioners.

Mr.Ashish Sanghi, DAG, Punjab.

Mr.Pardeep Kumar, Advocate for respondents No. 2 and 3.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of FIR in case bearing FIR No. 26 dated 02.03.2015, under Sections 452/323/34 IPC, registered at Police Station Sadar Bathinda, District Bathinda.

On 25.05.2015 the following order was passed:

“ Notice of motion.

Mr. Pardeep Kumar, Advocate has put in appearance on behalf of respondents No.2 and 3 and has taken notice of the petition.

Learned State counsel also takes notice of the petition. Learned counsel for the respondents affirms the factum of compromise.

Posted to 10.08.2015.

In view of the matter, the parties shall appear before the trial Court/Area Magistrate on 06.07.2015 for getting their statements recorded with regard to the compromise arrived at between them. The learned

trial court/ Area Magistrate, after ensuring their identity as well as the fact that the statements are being made by them voluntarily and without any pressure, shall record the same and will send his/her report upto 10.08.2015. The Magistrate shall also report about the names and number of the accused involved and whether any of accused has been declared proclaimed offender in the present FIR.”

Thereafter, the report of the Addl.Chief Judicial Magistrate, Bathinda dated 03.08.2015 has been received whereby he had mentioned that the parties had appeared before him and had attested to the fact that a compromise had indeed taken place between them and that the compromise had been executed voluntarily and without any pressure. He has further stated that none of the accused was declared proclaimed offender in this case. Learned DAG has accepted this fact.

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 FIR in case bearing FIR No. 26 dated 02.03.2015, under Sections 452/323/34 IPC, registered at Police Station Sadar Bathinda, District Bathinda and all other 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.

**(AJAY TEWARI)
JUDGE**

August 10, 2015
sunita