

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

C.R.M-M No.17795-2015

Date of Decision : 14.09.2015

Vinod and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Shilesh Gupta, Advocate
for the petitioners.

Ms.Supriya Arora, AAG, Haryana.

Mr. Vikram Punia, Advocate
for respondents No.2 and 3.

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 under Section 482 Cr.P.C. for quashing of FIR No.224 dated 12.09.2005 registered under Sections 498-A/494/406/107 IPC at P.S. Civil Line District Sonipat and all consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 28.05.2015 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. Vikram Punia, Advocate, accepts notice on behalf of respondents No. 2 and 3 and files vakalatnama, which is taken on record.

Counsel for the parties submit that the parties have compromised the matter.

In view of the above, the parties are directed to appear before the trial Court on 20.07.2015 and the trial Court 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.

Direction to record statements before the trial Court will not be taken to be any acknowledgment of the compromise.

Report of the Court below is awaited for 14.09.2015”.

Thereafter, the report of the Civil Judge (Sr. Divn.)-cum-Addl. C.J.M., Sonapat dated 28/07/2015 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 the petitioners.

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

14.09.2015

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**