

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

**CRM No. M-18583 OF 2015 (O&M)
DECIDED ON : 28.09.2015**

Jangir Singh and another

...Petitioners

versus

State of Punjab and another

...Respondents

AND

CRM NO. M-18611 OF 2015 (O&M)

Dilbagh Singh and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. G. S. Pannu, Advocate
for the petitioners in
CRM No. M-18583 of 2015.

Mr. Neeraj Madan, Advocate,
for the petitioners in
CRM No. M-18611 of 2015.

Mr. Ashish Sanghi, D.A.G., Punjab.

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)

Vide this common order, I intend to dispose of two petitions bearing **CRM No. M-18583 of 2015** titled as, "**Jangir Singh and another vs. State of Punjab and another**" and **CRM No. M-18611 of 2015** titled as, "**Dilbagh Singh and others vs. State of Punjab and another**", as the same have arisen out of the common FIR.

This petition has been filed for quashing of FIR No.72 dated 12.07.2011 registered under Sections 323/ 324/ 506/ 148/ 149 IPC, registered at Police Station Arniwala, District Fazilka and its cross-version recorded vide DDR No.31 dated 15.07.2011 under Sections 326/34 IPC registered at Police Station Arniwala, District Fazilka, on the basis of compromise effected between the parties.

As per report received from the Judicial Magistrate Ist Class, Fazilka, 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, both the petitions are allowed and the above said FIR as well as DDR, are quashed qua the petitioners.

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

SEPTEMBER 28, 2015
shalini

(AJAY TEWARI)
JUDGE