

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.18796-2015 (O&M)
Date of Decision : 18.08.2015

Vinod Dikshit & another

..... Petitioners

Versus

Labh Singh & others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vijay Dahiya, Advocate
for the petitioners.

None for the respondents.

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 instant petition is for quashing the complaint case No.72 of 10.06.2013 (Annexure P-1) filed before the Chief Judicial Magistrate, Mansa under Sections 420, 467, 468, 472, 473 and 120-B IPC and subsequent proceedings thereto.

On 02.06.2015 the following order was passed:-

"Contends that the matter has been settled.

Notice of motion for 18.8.2015.

In the meantime, parties are directed to present themselves before the Trial Court on 9.6.2015 or any other date convenient to the Court for recording their statements with

regard to the compromise. The Trial Court 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 Trial Court is further directed to send a report alongwith statements of the parties with regard to the validity or otherwise of the compromise effected between the parties and intimate whether any other case is pending against either of the parties or not before the next date of hearing."

Thereafter, the report of the Chief Judicial Magistrate, Mansa dated 05.08.2015 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 complaint 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.

18.08.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**