

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

**C.R.M-M No.18848 of 2015
Date of Decision : 19.12.2015**

Pardeep Goyal

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : None for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.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)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.204 dated 23.05.2013, registered under Sections 498-A, 323, 506 IPC, at Police Station Zirakpur, District S.A.S. Nagar and all consequential proceedings arising therefrom on the basis of compromise between the parties.

On 19.10.2015 the following order was passed:-

“This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.204 dated 23.05.2013, under Sections 498-A, 323, 506 IPC, registered at Police Station Zirakpur, District SAS Nagar, on the basis of compromise (Annexure P-2).

Let the parties appear before the trial Court on

29.10.2015, the date already fixed there or any other date convenient to the court for recording their statements with regard to compromise. The trial Court is directed to record the statements of both the parties to his satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The trial Court is also directed to send a report alongwith statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal proceedings are pending against either of the parties or not before the next date of hearing.

Adjourned to 19.12.2015 for awaiting the report of the trial Court.”

Thereafter, the report of the Sub Division Judicial Magistrate, Dera Bassi dated dated 02.11.2015 has been received. In the report, he has mentioned that the aforesaid parties have appeared before him and has attested to the fact that a compromise has indeed taken place 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 petitioner.

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

December 19, 2015

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**(AJAY TEWARI)
JUDGE**