

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

**C.R.M-M No.19524 of 2014(O&M)
Date of Decision : 23.01.2015**

Avtar Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Joginder Pal Ratra, Advocate
for the petitioners.

Mr. A.P.S. Gill, A.A.G., Punjab.

Mr. Paras Talwar, Advocate
for respondents No.2 to 8.

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 for quashing of FIR No.65 dated 29.06.2012 registered under Sections 326, 324, 323, 452, 506, 148, 149 IPC at Police Station Kamboj, District Amritsar Rural and all consequential proceedings arising therefrom on the basis of compromise.

On 24.07.2014 the following order was passed:-

“Notice of motion has already been issued for 29.09.2014.

Parties are directed to appear before the trial

Court/Illaq Magistrate on 27.08.2014 for their statements.”

Thereafter, the report of the Judicial Magistrate Ist Class, Amritsar dated 06.09.2014 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 FIR 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.

January 23, 2015

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**(AJAY TEWARI)
JUDGE**