

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

**C.R.M-M No.21746 of 2014
Date of Decision : 22.01.2015**

Randhir Dass @ Laddi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Indu Bala, Advocate
for the petitioner.

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

Mr. Rishav Jain, Advocate
for respondent No.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 for quashing of FIR No.280 dated 24.05.2010 registered under Sections 366, 363, 120-B IPC at Police Station Sadar Patiala and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 14.10.2014 the following order was passed:-

“Learned counsel for respondent No.3 states that after the marriage of the petitioner he now has no grouse and he would have no objection in appearing before the trial Court to

make the statement in this regard. Learned counsel for the petitioner has no objection to this course of action.

Let the parties appear before the trial Court on 14.11.2014 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 along with 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 22.01.2015 for awaiting the report of the trial Court.”

Thereafter, the report of the Additional Chief Judicial Magistrate, Patiala dated 29.11.2014 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 petitioner.

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

January 22, 2015

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**(AJAY TEWARI)
JUDGE**