

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

**C.R.M-M No.23217 of 2014
Date of Decision : 19.01.2015**

Siddharth Srivastava

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S. S. Narula, Advocate
for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

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 present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.68 dated 03.07.2008 registered under Sections 498-A, 506, 323 IPC at Police Station Sushant Lok, District Gurgaon and all consequential proceedings arising therefrom on the basis of compromise between the parties.

On 22.08.2014 the following order was passed:-

“Parties are present in person.

Since this petition filed by the petitioner is for quashing of the FIR on the basis of the compromise, parties through their counsel are directed to appear

before the trial Court on the date fixed i.e 25.8.2014 who will record their statements with regard to the compromise on the said date or on any other convenient date. The trial Court, while recording statements, shall keep in mind that the statements are not as a result of any pressure or coercion in any manner. The trial Court is 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 case is pending against either of the parties or not before the next date of hearing. The trial Court is also directed to intimate with regard to pendency of any criminal proceedings against the parties.

Adjourned to 17.10.2014. Copy of this order be given dasti to counsel for the parties under the signatures of the Bench Secretary.”

Thereafter, the report of the Judicial Magistrate Ist Class, Gurgaon dated 05.09.2014 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.

A copy of this order be given dasti to the learned counsel for the petitioner on payment of usual charges.

January 19, 2015

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**(AJAY TEWARI)
JUDGE**