

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

CRM-M No. 23976 of 2014 (O&M)

Date of decision :27.01.2015

Amit Verma

..... Petitioner

Versus

UT Chandigarh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Manoj Kumar, Advocate for the petitioner.

Mr.Amandeep Singh Gill, Public Prosecutor for UT, Chd.

Mr.APS Guliani, Advocate for respondent No.2.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of FIR No.57 dated 09.02.2012 under Sections 406, 498-A IPC, registered at Police Station, Sector 39, Chandigarh on the basis of the compromise.

On 18.11.2014 the following order was passed:-

“ Learned counsel for the parties submit that the matter is likely to be compromised.

Let the parties appear before the trial Court on 8.12.2014 for recording their statements and the trial Court is directed to send the report to this Court on or before the next date of hearing.

Adjourned to 27.1.2015.”

Thereafter, the report of the Judicial Magistrate 1st Class, Chandigarh dated 16.12.2014 has been received whereby she had mentioned that the parties had appeared before her and had attested to the fact that a compromise had indeed taken place between them and that the compromise

had been executed voluntarily and without any pressure. Learned Public Prosecutor for UT has accepted this fact.

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 FIR No.57 dated 09.02.2012 under Sections 406, 498-A IPC, registered at Police Station, Sector 39, Chandigarh and all other proceedings arising therefrom are quashed qua the petitioner.

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

(AJAY TEWARI)

JUDGE

January 27, 2015

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