

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 24177 of 2014 (O&M)

Date of decision : February 18, 2015

Ram Chander & another,

..... Petitioners

v.

State of Haryana and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. AS Sullar, Advocate
for the petitioners.

Mr. Ashish Yadav, Addl. AG Haryana

Mr. PR Yadav, Advocate
for respondent No.2.

- 1. Whether Reporters of Local Newspapers 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)

On 12.12.2014, the following order was passed :-

“ As per the report of the mediator, the parties have settled their dispute.

Counsel for the petitioners states that as part of that settlement, he has brought two demand drafts amounting to Rs.4.50 lacs and the same have been handed over to counsel for respondent No.2. However, for payment of the remaining amount in terms of the settlement, he seeks an adjournment.

Counsel for respondent No.2 states that she has no objection if one more opportunity is granted to the petitioners to make up the payment of the remaining amount.

Adjourned to 17.2.2015.”

Today, counsel for the petitioners has handed over to counsel

for respondent No.2 all the remaining amounts by way of FDR in the sum of ₹ 2.00 lacs and a demand draft of ₹ 7.50 lacs in favour of the minor daughter Anshum, and a demand draft in the sum of ₹ 1,25,000/- in favour of Neelam Devi (respondent No.2). It has also been accepted that the parties have dissolved the marriage by way of divorce.

In **Gian Singh v. State of Punjab and another**, reported as 2012(4) RCR(Criminal) 543, the Hon'ble Supreme Court has discussed in detail the inherent powers of the High Court in quashing criminal proceedings 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 the 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, the present petition is allowed and Criminal Complaint No.336, dated 1.11.2008, titled as “Neelam Devi vs Sudhir etc”, and all subsequent proceedings, emanating therefrom, are quashed.

(AJAY TEWARI)
JUDGE

February 18, 2015
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