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

**CRM No. 3872 of 2015 in/and
CRM-M No.2425 of 2014(O&M)
Date of Decision : 05.02.2015**

Dr.Mahesh Batra and another

.....Petitioners

Versus

State of UT Chandigarh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.K.S.Nalwa, Advocate for the petitioners.

Ms.Ashima Mor, Standing Counsel for
UT Chandigarh-respondent No.1.

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Ajaivir Singh, Advocate
for respondents No. 2 to 6.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

CRM No. 3872 of 2015

CRM allowed. Order dated 31.01.2015 taken on record.

CRM-M No.2425 of 2014

This is a petition for quashing of criminal trial titled as State v.
Naresh Batra and others arising out of police challan No.142A of 26.11.2001
filed in FIR No. 300 dated 1.10.1998, under Sections 420/467/468/471 IPC,

Police Station Sector 17, Chandigarh and complaint case having computer ID No. 36014R0006262002 titled as Vikram Batra v. Naresh Batra and others pending in the Court of JMIC, Chandigarh and all consequential proceedings arising therefrom on the basis of family settlement/compromise (Annexure P-4).

Learned standing counsel for UT Chandigarh states that respondent No.2 has come back and appeared before the Court and has been released on bail. Learned senior counsel for respondents No. 2 to 6 states that as per the current family agreement the petitioners have been taking all the actions required of them and on their part they undertake to abide by the conditions imposed on them by the settlement strictly within the time line prescribed therein and their failure may result in revival of the petition as well as initiation of proceedings under the Contempt of Courts Act. On this statement by the learned senior counsel appearing on behalf of respondents No. 2 to 6, learned counsel for the petitioner as well as learned standing counsel for UT Chandigarh state that they have no objection if the criminal proceedings are quashed.

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 criminal trial titled as State v. Naresh Batra and others arising out of police challan No.142A of 26.11.2001 filed in FIR No. 300 dated 1.10.1998, under Sections 420/467/468/471 IPC, Police Station Sector 17, Chandigarh and complaint case having computer ID No. 36014R0006262002 titled as Vikram Batra v. Naresh Batra and others pending in the Court of JMIC, Chandigarh and all consequential proceedings arising therefrom are quashed qua the petitioners.

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

(AJAY TEWARI)
JUDGE

February 05 , 2015
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