

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

**C.R.M-M No.24838 of 2015
Date of Decision : 03.12.2015**

Nitin and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Anshumaan Dalal, Advocate
for the petitioners.

Mr. S.S. Pannu, D.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)

This petition has been filed for quashing of FIR No.104 dated 26.02.2011 for offences punishable under Sections 498-A/406 IPC, registered at Police Station Sampla, District Rohtak and copy of orders dated 25.03.2015 alongwith all subsequent proceedings arising therefrom on the basis of compromise.

Reply has been filed on behalf of respondent No.1 as per which the Matrimonial Court at Delhi has stated that the dispute between the parties has been dissolved by way of divorce. However, no report has been mentioned regarding any statement having been

made about the compromise.

Learned counsel for the petitioners points out that the statement regarding the compromise was made at the time of first motion and the fact that the divorce has not been granted necessarily implies that the parties have compromised the matter.

Learned Deputy Advocate General has accepted these facts.

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 impugned order and all consequential proceedings arising therefrom are quashed qua petitioners.

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

December 03, 2015

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**(AJAY TEWARI)
JUDGE**