

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

CRM-M No. 27884 of 2013 (O&M)

Date of decision :13.01.2015

Palwinder Singh alias Pappi

..... Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Pankaj Balli, Advocate
for the petitioners.
Mr.APS Gill, AAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of FIR No.160 dated 25.06.2009,
under Sections 406/420/467/468/471 IPC, registered at Police Station Sadar
Khanna on the basis of compromise(Annexure P-3).

On 01.04.2014 the following order was passed:-

“The petition is filed praying for quashing the First
Information Report and the consequent proceedings based on
the compromise entered into between the parties.

The petitioner as well as respondent No.2 are directed to
appear on 21.04.2014 before the trial Court, who shall record
the statements of the parties concerned to verify the
genuineness of the compromise struck between them and file a
report.

Post the matter on 20.05.2014. ”

Thereafter, the report of the Judicial Magistrate 1st Class,

Khanna dated 12.05.2014 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 AAG 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.160 dated 25.06.2009, under Sections 406/420/467/468/471 IPC, registered at Police Station Sadar Khanna 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 13, 2014

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