

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 25419 of 2014 (O&M)
Date of decision : December 08, 2015

Kulwant Singh and others,

..... Petitioners

v.

State of Punjab and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Navjeet Singh, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG Punjab

Mr. K Arun Singh, Advocate
for Mr. H.S Dhindsa, Advocate
for respondent Nos.2 & 3.

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)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.59, dated 14.4.2013, registered under Sections 307, 325, 506, 148, 149 of the IPC, at Police Station Dehlon, District Ludhiana on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 13.8.2015, report dated 29.8.2015 from the Additional District & Sessions Judge, Ludhiana has been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the parties have also stated that in fact the matter

has been compromised between the parties amicably. Counsel for the State of Punjab has also confirmed this fact and states that there is no other case pending between the parties. It is further stated that if an offence under Section 307 of the IPC cannot normally be compromised yet since the State has already filed an application before the trial Court to downgrade the offence under Section 307 to that under Section 325 of the IPC, this FIR should be quashed.

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 FIR No.59, dated 14.4.2013, registered under Sections 307, 325, 506, 148, 149 of the IPC, at Police Station Dehlon, District Ludhiana, and all subsequent proceedings, emanating therefrom, are quashed.

(AJAY TEWARI)
JUDGE

December 08, 2015
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