

Date of decision :19.10.2015

.....Respondents

The report of Sub Divisional Judicial Magistrate, Samrala dated 18.09.2015 has been received whereby he had mentioned that the power of attorney of the petitioners and the son of the complainant had appeared before him and suffered statements that a compromise had indeed taken place between them. As per him from their statements it appears that the parties have compromised the matter amicably. He has further reported that no trial is pending before him because the accused persons were never arrested by the police or appeared before the Court

after the registration of FIR nor any final report was ever submitted by the police. Learned AAG and learned counsel for respondent No.2 have accepted the fact that the parties have compromised the matter.

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.136 dated 11.06.2014, under Sections 406, 420 IPC, registered at Police Station Samrala, District Ludhiana. and all other proceedings arising therefrom are quashed qua the petitioners.

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

(AJAY TEWARI)

JUDGE

October 19 , 2015

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