

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

**C.R.M-M No.29892 of 2014 (O&M)
Date of Decision : 30.10.2015**

Ashu and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gaurav Sethi, Advocate
for the petitioners.

Mr. S.S. Pannu, D.A.G, Haryana.

Mr. Pankaj Bali, Advocate
for respondent Nos.2 to 4.

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.293 dated 03.08.2014 registered under Sections 148, 149, 323, 324, 326, 506 IPC, at Police Station Ambala Cantt., District Ambala alongwith all consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 20.07.2015 the following order was passed:-

“In terms of the observations made in the order dated 20.3.2015 wherein it was recorded that petitioner No.4 was

innocent, on the request of learned counsel for the petitioners, name of petitioner No.4 be deleted from the array of the parties. Registry to do the needful.

Respondent Nos.3 and 4 are yet to make statements on the compromise. Respondent Nos.3 and 4 are directed to appear before the trial Court on 10.08.2015.

The trial Court would record statements of respondent Nos.3 and 4 on the terms of written compromise and report whether the compromise is genuine and without any pressure or coercion. The trial Court will send report alongwith original statements of respondent Nos.3 and 4 and the compromise before the next date.

List on 30.10.2015.”

Thereafter, the report of the Additional Chief Judicial Magistrate, Ambala dated 05.10.2015 has been received whereby he has mentioned that the aforesaid parties had appeared before him and has attested to the fact that a compromise has indeed taken place and that the compromise has been executed voluntarily and without any pressure.

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 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.

October 30, 2015

ashish

**(AJAY TEWARI)
JUDGE**