

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

C.R.M-M No.2983 -2015

Date of Decision : 05.11.2015

Arjun Deep and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. M.S.Gill, Advocate for
Mr. Vivek Goel, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

Ms. Suman Devi, Advocate for
Ms. Deepali Puri, Advocate
for respondent No.2.

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)

On 29.01.2015 the following order was passed:-

“Learned counsel for the petitioners contends that the parties have a matrimonial dispute, which has now been amicably settled. The petitioners seek quashing of the FIR No.143, dated 04.09.2011, under Section 498-A IPC, registered at Police Station Sadar Ludhiana, District Ludhiana City, on the basis of the compromise.

Notice of motion for 17.03.2015.

In the meanwhile, both the parties are directed to appear before the court of Mr. Mandeep Singh, Judicial Magistrate 1st Class, Ludhiana, where the trial is stated to be pending. The learned Judicial Magistrate 1st Class, Ludhiana shall record the statements of the parties and report to this Court whether the compromise effected between the parties is genuine and without any pressure.

Report be awaited for the date fixed.”

Thereafter, the report of the Judicial Magistrate 1st Class, Ludhiana dated 21.10.2015 has been received whereby he has mentioned that the parties had appeared before him and had attested to the fact that a compromise has indeed taken place between them 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 the petitioners.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

November 05, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**