

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

CRM-M-29986-2015 (O&M)

Date of decision :21.12.2015

Sukhjit Singh alias Sunny and another Petitioners

Versus

State of Punjab and anotherRespondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.D.S.Randhawa, Advocate for the petitioners.

Mr.Ashish Sanghi, DAG, Punjab.

Mr.J.S.Lalli, Advocate for respondent No.2.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of DDR No. 27 dated 02.03.2015, under Section 452, 323, 506 IPC registered as a cross version in FIR No.81 dated 02.03.2015 , under Sections 452, 323, 427 IPC, at Police Station Jodhewal, Ludhiana on the basis of compromise.

On 10.09.2015 the following order was passed:-

"Notice of motion.

On the asking of the Court, Mr. Ashish Sanghi, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent No.1. Mr. J.S. Lalli, Advocate has entered appearance on behalf of respondent No.2.

Learned counsel for the petitioners undertakes to supply a copy of the petition to the learned opposite counsel during the course of the day.

To come up alongwith CRM-M-29611-2015 on 09.10.2015.

In the meantime, let the parties record their statements about cross-version also when they appear before the Magistrate"

Thereafter, the report of the Judicial Magistrate 1st Class, Ludhiana dated 05.11.2015 has been received whereby he had mentioned that the parties had appeared before him 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 DAG 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 *DDR No. 27 dated 02.03.2015, under Section 452, 323, 506 IPC registered as a cross version in FIR No.81 dated 02.03.2015 , under Sections 452, 323, 427 IPC, at Police Station Jodhewal, 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.

December 21, 2015
sunita

(AJAY TEWARI)
JUDGE