

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

CRM-M No. 30197 of 2014 (O&M)

Date of decision :12.02.2015

Manjit Singh and another

..... Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.D.S.Dalee, Advocate

for the petitioners.

Mr.Deepak Garg, AAG, Punjab.

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C.for quashing of F.I.R. No.121 dated 01.06.2009, registered under Sections 325, 324, 323, 341, 506, 148, 149 IPC at Police Station Bhawanigarh, District Sangrur and all other consequential proceedings arising therefrom on the basis of compromise (Annexure P-2)effected between the parties.

On 08.12.2014 the following order was passed

“ As per office report, the respondents No.1 to 5 and7 have been served but the service upon respondent No.6 has not been effected.

Learned counsel for the applicants-petitioners states that respondent No.6 is the son of respondent No.3 and states that the matter is now fixed for 10.12.2014 before the trial Court and the parties may be allowed to record their statement on the said date.

I find this to be a fair submission.

To come up on the date fixed i.e. 12.02.2015.

Meanwhile, the parties are directed to be present before the

trial Court on the date fixed i.e. 10.12.2014 or any other date convenient to the Court for recording their statements with regard to compromise. The Court is directed to record the statements of both the parties to its satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The Court is further directed to send report along with the statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal case is pending against either of the parties or not before the next date of hearing.

A photocopy of this order be given dasti to the learned counsel for the applicants-petitioners under the signatures of the Bench Secretary.”

Thereafter, the report of the Addl. Judicial Magistrate, Sangrur dated 08.01.2014 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. He has further intimated that no criminal case is pending against any of the parties. Learned AAG 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 the F.I.R. No.121 dated 01.06.2009, registered under Sections 325, 324, 323, 341, 506, 148,

149 IPC at Police Station Bhawanigarh, District Sangrur 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

February 12, 2015

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