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

**C.R.M-M No.30568 of 2015
Date of Decision : 14.12.2015**

Saudagar and another

..... Petitioners

Versus

Subhash Chander

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Amandeep Saini, Advocate for
Ms. Avinash Mandla, Advocate
for the petitioners.

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 05.10.2015 the following order was passed:-

"This is a petition filed under Section 482 Cr.P.C. for quashing of criminal complaint No.40 of 16.04.2012 titled as Subash Chander vs. Saudgar and another, under Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act, 1989 read with Section 500 IPC as well as summoning order dated 11.02.2014 on the basis of compromise(Annexure P-3).

Let the parties appear before the trial Court on the date fixed i.e. 02.11.2015 or any other date convenient to the Court for recording their statements with regard to compromise. The trial Court is directed to

record the statements of both the parties to his satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The trial Court is also directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal proceedings are pending against either of the parties or not before the next date of hearing.

Adjourned to 14.12.2015 for awaiting the report of the trial Court.”

Thereafter, the report of the Additional Sessions Judge, Gurdaspur dated 03.11.2015 has been received whereby he has mentioned that the aforesaid parties have appeared before him and have 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.

December 14, 2015

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**(AJAY TEWARI)
JUDGE**