

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

**C.R.M No.37663-65 of 2015 in/and
C.R.M-M No.33902 of 2013
Date of Decision : 19.12.2015**

Gurpal Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Dinesh Trehan, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

Mr. P.B.S. Goraya, 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)

CRM-37663-65-2015

For the reasons recorded, the applications are allowed subject to all just exceptions. The judgment dated 19.10.2015 is taken on record as Annexure P-4. The main case is pre-poned for hearing today itself.

C.R.M-M No.33902 of 2013

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.84 dated 31.07.2013, registered under Sections 498-A,

355, 323, 294, 506, 509, 109 IPC, at P.S. Naya Gaon, SAS Nagar and all

consequential proceedings arising therefrom on the basis of compromise between the parties.

Learned counsel for the parties have stated that the matter has been compromised since the divorce has been granted and a copy of the said judgment is already taken on record.

Learned Additional Advocate General on instructions from S.I. Harvinder Singh has also accepted these facts.

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 19, 2015

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**(AJAY TEWARI)
JUDGE**