

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

**C.R.M-M No.34031 of 2013(O&M)
Date of Decision : 12.01.2015**

Dalip Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ramesh Sharma, Advocate
for the petitioners.

Mr. A.P.S. Gill, A.A.G., Punjab.

Mr. P.S. Miglani, Advocate
for Mr. Pritpal Singh Pal, Advocate
for the complainant-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)

The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.19 dated 11.03.2013 registered under Sections 498-A, 406 IPC at Police Station Begowal, District Kapurthala and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties, which is annexed as Annexure P-2 with the petition.

On 07.02.2014 the following order was passed:-

“Learned counsel for respondent No.2 does not dispute the compromise and filed an affidavit.

The parties are, therefore, directed to appear before the Area Magistrate on 25.02.2014 for recording their statements on the compromise.

The Area Magistrate would record statements of the parties on the terms of written compromise and report whether the compromise is genuine and without any pressure or coercion. The Area Magistrate will send report alongwith the original statements of parties and the compromise before the next date of hearing.

List on 28.07.2014.”

Thereafter, the report of the Chief Judicial Magistrate, Kapurthala dated 31.03.2014 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 petitioners.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

January 12, 2015

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**(AJAY TEWARI)
JUDGE**