

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

**CRM-M-3162 of 2014 (O&M)
Date of Decision:16.01.2015**

Sukhdeep Singh Mattu alias Sukhbir Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI.

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. Amit Gupta, Advocate for respondent No.2.

- i)Whether Reporters of local papers may be allowed to see the judgment?
- ii)To be referred to the Reporters or not?
- iii)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.298 dated 02.11.2012 registered under Sections 307, 353, 332, 186 IPC at Police Station Batala, District Gurdaspur and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties, which is annexed as Annexure P-4 with the petition.

On 28.01.2014 the following order was passed:-

“Quashing of FIR, on the basis of compromise, has been prayed for.

Notice of motion to the respondents for 14.7.2014.

Meanwhile, the parties are directed to appear before the trial Court on 5.2.2014. The said Court will record the statements of the parties on said date or on any other date convenient to it and send a report of its satisfaction regarding the matter having been amicably compromised without any pressure, coercion or undue influence.

For awaiting the report, to come up on the date fixed.”

Thereafter, the report of the Additional Sessions Judge, Gurdaspur dated 10.09.2014 has been received whereby she has mentioned that the parties had appeared before her 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

petitioner.

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

16.01.2015

Mohan/prince

(AJAY TEWARI)
JUDGE