

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

CRM-M No. 36407 of 2013 (O&M)

Date of decision :12.02.2015

Swaranjit Kaur

..... Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.G.S.Sidhu, Advocate for the petitioner.

Mr.APS Gill, AAG, Punjab.

Ms.Maninder Kaur, Advocate for respondent No.2.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of FIR .

On 05.08.2014 the following order was passed:-

“The present petition has been filed under Section 482 Cr.P.C.for quashing of FIR No.7 dated 14.1.2010 under Sections 420, 465, 468, 471of the IPC registered at Police Station Ferozepur Cantt., District Ferozepur 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.

To come up on 13.11.2014.

Meanwhile, the parties are directed to be present before the CJM Ferozepur Cantt, District Ferozepur on 28.08.2014 or any other date convenient to the CJM Ferozepur Cantt, District Ferozepur for recording their statements with regard to compromise. The CJM Ferozepur Cantt, District Ferozepur 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 CJM Ferozepur Cantt, District Ferozepur 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 case is pending against either of the parties or not before the next date of hearing. The CJM Ferozepur Cantt, District Ferozepur is also directed to intimate with regard to pendency of any P.O. Proceedings against the parties.”

Thereafter, the report of the Chief Judicial Magistrate, Ferozepur dated 17.09.2014 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 other 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 FIR No.7 dated 14.1.2010 under Sections 420, 465, 468, 471 of the IPC registered at Police Station Ferozepur Cantt., District Ferozepur and all other consequential proceedings arising therefrom are quashed qua the petitioner.

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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