

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

**C.R.M. No.4970-71 of 2015 in/and
C.R.M-M No. 832 of 2012 (O&M)
Date of Decision : 18.02.2015**

Balbir Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.S.S.Sodhi, Advocate
for the applicant-appellants.

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

Mr.S.S.Tiwana, Advocate
for respondents No.2 and 3.

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)

C.R.M. No.4970-71 of 2015

For the reasons recorded the applications are allowed.

The main case is taken up for hearing today itself.

C.R.M-M No. 832 of 2012

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.47 dated 03.04.2009 under Sections 420, 423, 419, 120 IPC registered at Police Station Sadar Nabha, District Patiala and

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

On 20.05.2014 the following order was passed:-

“Learned counsel for the parties have stated that a compromise has been effected between the parties.

The parties are directed to appear before Chief Judicial Magistrate, Patiala on 14.07.2014 and to get recorded their statements regarding compromise and after recording their statements, Chief Judicial Magistrate, Patiala is directed to send the report regarding the genuineness of compromise.

Adjourned to 04.08.2014.

A copy of this order be sent to Chief Judicial Magistrate, Patiala, for compliance.”

Thereafter, the report of the Sub Divisional Judicial Magistrate, Nabha dated 08.12.2014 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 petitioners.

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

February 18, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**