

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

**C.R.M-M No.4212 of 2014
Date of Decision : 24.02.2015**

Mandeep Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ashish Gupta, Advocate
for the petitioners.

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

Mr. Vivek Goel, Advocate
for respondent No.2/complainant.

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 FIR No.87 dated 25.05.2008 registered under Sections 171F, 419, 420, 465, 468, 120-B IPC and Section 17, 18 of the Representations of the People Act, 1951 at Police Station Kot Ise Khan, District Moga and all other consequential proceedings arising therefrom on the basis of compromise between the parties.

On 20.11.2014 the following order was passed:-

*"It has been stated that the matter has been settled
between the parties.*

Adjourned to 24.02.2015.

Meanwhile, the parties are directed to be present before the trial court on 15.12.2014 or any other date convenient to him for recording their statements with regard to compromise. The trial court 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 trial court 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 trial court is also directed to intimate with regard to pendency of any P.O. proceedings against the parties."

Thereafter, the report of the Judicial Magistrate Ist Class, Moga dated 17.12.2014 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.

February 24, 2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**