

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

**C.R.M-M No.42277 of 2014
Date of Decision : 30.10.2015**

Jasvir Singh @ D.C.

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. S.K. Bawa, Advocate
for the petitioner.

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

Mr. R.S. Ghuman, Advocate
for respondent Nos.2 & 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)

This petition has been filed for quashing of FIR No.78 dated 20.04.2008 registered under Sections 336, 324, 323 IPC and Sections 25, 54, 27, 59 of the Arms Act, at Police Station Goraya, District Jalandhar alongwith all consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 27.02.2015 the following order was passed:-

“This is a petition for quashing the FIR on the basis of compromise.

Jasvir Singh-petitioner is stated to be a proclaimed offender. So, the parties are directed to appear before the trial Court/Illaqa Magistrate on 11.03.2015 and the trial Court/Illaqa Magistrate shall record the statement of all the effected parties and shall report whether any volunteer compromise has been arrived at between the parties or not?

Report of the trial Court/Illaqua Magistrate in this regard be called for 31.03.2015.

In the meantime, the petitioner is ordered to be released on interim bail on his furnishing bail bonds to the satisfaction of trial court.”

Thereafter, the report of the Judicial Magistrate Ist Class, Phillaur dated 25.03.2015 has been received whereby he has mentioned that the parties had appeared before him and has 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.

October 30, 2015

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**(AJAY TEWARI)
JUDGE**