

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

**C.R.M-M No.42951 of 2014(O&M)
Date of Decision : 28.01.2015**

Mahesh Nagar and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sanjeev Kr. Panwar, Advocate
for the petitioners.

Mr. Ashish Yadav, Addl.A.G., Haryana.

Mr. Madan Sandhu, Advocate
for the respondent No.2.

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)

Reply filed by way of affidavit of Mamta Kharb, HPS, Assistant
Commissioner of Police, Central on behalf of respondent No.1 is taken on
record.

This petition has been filed for quashing of FIR No.652 dated
27.10.2014 registered under Sections 420, 467, 468, 471, 120-B IPC at
Police Station Central Faridabad, District Faridabad and all consequential
proceeding arising therefrom on the basis of compromise between the
parties.

On 16.12.2014 the following order was passed:-

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

Notice of motion for 28.01.2015.

Parties are directed to appear before the trial Court/Illaqa Magistrate on 20.12.2014 to get their statements recorded with regard to genuineness of compromise. On appearance of parties, the trial Court/Illaqa Magistrate will record their statements with regard to the compromise on the date fixed or some other date to be fixed by it and submit report to this Court by the next date by specifically stating regarding the genuineness of the compromise and about the status/stage of the case.”

Thereafter, the report of the Chief Judicial Magistrate, Faridabad dated 03.01.2015 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.

January 28, 2015

ashish

**(AJAY TEWARI)
JUDGE**