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

**CRM-M No.432 of 2015
Date of Decision: 06.04.2015**

SATNAM SINGH

.....Petitioner

Vs

STATE OF PUNJAB & ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.D. Sharma, Advocate
for the petitioner.

Mr. Varun Sharma, A.A.G., Punjab.

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?***

RAJ MOHAN SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.13 dated 15.01.2010 under Section 498-A IPC, and conviction order dated 17.09.2014 passed by Judicial Magistrate Ist Class, Baba Bakala Sahib, District Amritsar on the basis of compromise.

This Court vide order dated 09.01.2015 directed the parties to appear before the trial Court for recording their statements on the factum of compromise. Trial Court was also directed to record the statements of the parties to its satisfaction and report regarding genuineness of the compromise in question.

In pursuance to the aforesaid order, both the parties

appeared before the Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar and got their statements recorded on 12.03.2015. Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar also recorded its satisfaction vide report dated 19.03.2015, endorsing that the parties have effected compromise voluntarily and with their free will and consent. There is no element of pressure or coercion.

This Court is of the opinion that offence is private in nature and not against the whole society. Appeal against conviction is pending. In **2013(2) RCR (Crl.) 102, Sube Singh & Another v. State of Haryana and Another**, this Court held that magnitude of inherent powers is wide enough to cover proceedings in appeal also so as to prevent abuse of law and to achieve ends of justice. The compromise would facilitate both the parties to live in peace and to maintain public tranquility and offence in question is personal in nature and does not involve any heinous and serious offence of any mental depravity, nor it involves any offence covered under Prevention of Corruption Act. Therefore, when parties have resolved their differences, continuation of criminal proceedings would put the accused to oppression and prejudice. In such a situation the exercise of power to quash the proceedings would be in consonance with the provisions of law to meet ends of justice and to prevent unnecessary continuation of proceedings which may ultimately result in some unnecessary vagaries of criminal trial/appeal.

The State on notice, however, object to the aforesaid course, but in order to prevent unnecessary continuation of criminal proceedings on the ground that both the parties have settled their dispute of private nature, this Court is of the opinion that it would be in fitness of things to quash the proceedings on the basis of compromise.

Resultantly, FIR No.13 dated 15.01.2010 under Section 498-A IPC, and conviction order dated 17.09.2014 passed by Judicial Magistrate Ist Class, Baba Bakala Sahib, District Amritsar and all the subsequent proceedings arising therefrom, are quashed.

April 06, 2015
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(RAJ MOHAN SINGH)
JUDGE