

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.5672-2015 (O&M)
Date of Decision : 27.08.2015

Narender and others

..... Petitioners

Versus

State of Haryana & another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Johan Kumar, Advocate
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Robin Singh Hooda, Advocate
for 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)

On 20.02.2015 the following order was passed :-

"Prayer in this petition is for quashing of the FIR No. 52 dated 02.02.2011 registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Meham, District Rohtak on the basis of compromise dated 04.02.2015 (Annexure P-2)

Notice of motion for 23.03.2015."

On 23.03.2015 the following order was passed :-

"The parties shall appear before the trial court/Area Magistrate

on 10.04.2015 to get their statements recorded regarding the veracity of the compromise.

The learned Court, after recording the statements, will send a report regarding the genuineness of the compromise being arrived at between the parties, alongwith the statements, to the Registrar Judicial of this Court upto 14.05.2015."

Thereafter, the report of the Additional Civil Judge (Sr. Divn.)-cum-SDJM, Meham dated 21.04.2015 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.

**(AJAY TEWARI)
JUDGE**

27.08.2015

Pooja Sharma-I