

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.6272-2015 (O&M)
Date of Decision : 08.09.2015

Karanbir Singh & another

..... Petitioners

Versus

State of Haryana & another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Samir Rathaur, Advocate
for the petitioners.

Ms.Supriya Arora, AAG, Haryana.

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 F.I.R. No.78 dated 14.07.2011 registered under Sections 406/498-A/323/506 IPC at Police Station Sector 14, Panchkula and all consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 25.02.2015 the following order was passed:-

"Notice of motion for 28.05.2015.

In the meantime, parties are directed to appear before the trial Court and the trial Court, after recording statements of the

complainant/victims, shall send its report qua the genuineness of the compromise along with copies of the statements.”

Thereafter, the report of the Civil Judge (Junior Division) Panchkula dated 22.04.2015 has been received whereby she has mentioned that the parties had appeared before her 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.

08.09.2015

Pooja Sharma-I

**(AJAY TEWARI)
JUDGE**