

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of decision : August 21, 2015

1. CRM-M No.6638 of 2015 (O&M)

Darshan Singh & Ors vs State of Punjab and another

2. CRM-M No.6670 of 2015 (O&M)

Ajmer Singh and others vs State of Punjab and another

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. NS Dandiwal, Advocate
for the petitioners in CRM-M No.6638 of 2015

Mr. IS Dhaliwal, Advocate
for the petitiners in CRM-M No.6670 of 2015

Mr. APS Gill, AAG Punjab

1. **Whether Reporters of Local Newspapers 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 order shall dispose of CRM-M Nos.6638 and 6670 of 2015 as both these petitions arise from the same occurrence.

Prayer in CRM-M No.6638 of 2015 is for quashing of cross case bearing DDR No.23, dated 12.6.2014 lodged under Sections 324, 323, 34 of the IPC in FIR No. 78, dated 12.06.2014, and in CRM-M No.6670 of 2015 is for quashing of FIR No. 78, dated 12.06.2014, registered under Sections 323, 341, 148, 149 of the IPC, at Police Station Nihal Singh Wala, on the basis of a compromise, arrived at between the parties.

Reports from the Sub Divisional Judicial Magistrate Nihal

Singh Wala have been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the parties have also stated that in fact the matter has been compromised between the parties amicably. Counsel for the State of Punjab has also confirmed this fact and states that there is no other case pending between the parties.

In **Gian Singh v. State of Punjab and another**, reported as 2012(4) RCR(Criminal) 543, the Hon'ble Supreme Court has discussed in detail the inherent powers of the High Court in quashing criminal proceedings 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 the 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, the present petition is allowed and DDR No.23, dated 12.6.2014 lodged under Sections 324, 323, 34 of the IPC, in FIR No. 78, dated 12.06.2014, as well as FIR No. 78, dated 12.06.2014, registered under Sections 323, 341, 148, 149 of the IPC, at Police Station Nihal Singh Wala, and all subsequent proceedings, emanating therefrom, are quashed.

(AJAY TEWARI)
JUDGE

August 21, 2015
'kk'

