

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

**CRM-M No. 8743 of 2015 (O&M)**

**Date of decision :11.08.2015**

**Rajni Kant Kaushik**

**..... Petitioner**

**Versus**

**State of Haryana and another**

**.....Respondents**

**CRM-M No. 8744 of 2015 (O&M)**

**Date of decision :11.08.2015**

**Hitesh Malhotra**

**..... Petitioner**

**Versus**

**State of Haryana and another**

**.....Respondents**

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

Present: Mr.Narender Singh, Advocate for the petitioner/s.

Mr.Chetan Sharma, AAG, Haryana.

Mr.V.D'Costa, Advocate for the complainant.

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**AJAY TEWARI, J. (Oral)**

The aforesaid two petitions are for quashing of FIR on the basis of compromise. Since they both have arisen out of a common FIR, that is the reason the same are being disposed of by this common order.

On 19.03.2015 the following order was passed in both the petitions:-

“ The present petition has been filed under Section 482 Cr.P.C praying for quashing of F.I.R No. 247 dated 8.11.2012 registered under sections 420, 408, 120-B I.P.C at Police Station, Bilaspur, District Gurgaon, on the basis of compromise, which as per counsel has been effected into between the parties.

Notice of motion, returnable for 15.5.2015.

Parties are directed to appear before the Illaqa Magistrate/Trial Court on 21.4.2015 for recording of their statements. A report as regards veracity of the compromise be furnished to this Court on or before the date fixed.”

Thereafter, the report of the Judicial Magistrate 1<sup>st</sup> Class, Gurgaon dated 27.04.2015 has been received whereby she had mentioned that the parties had appeared before her and had attested to the fact that a compromise had indeed taken place between them and that the compromise had been executed voluntarily and without any fear, coercion or pressure. Learned AAG has accepted this fact.

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, these petitions allowed and the F.I.R No. 247 dated 8.11.2012 registered under sections 420, 408, 120-B I.P.C at Police Station, Bilaspur, District Gurgaon and all other proceedings arising therefrom are quashed qua the petitioner/s.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

A photocopy of this order be placed on the file of the connected case.

**(AJAY TEWARI)**  
**JUDGE**

**August 11, 2015**  
**sunita**