

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M No.10625 of 2016 (O&M)

Date of decision :20.07.2016

Gurmeet Singh & others

..... Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: None for the petitioners.
ASI Sukhwinder Singh in person.

AJAY TEWARI, J. (Oral)

This is a petition for quashing of FIR No.60 dated 01.05.2013 ,
under Sections 324, 506, 34 IPC, registered at Police Station Kharar, District
SAS Nagar on the basis of compromise.

On 29.03.2016 the following order was passed:-

“ Learned counsel for the petitioners contends that the case is still under investigation. Now the parties have compromised the matter.

Notice of motion for 04.07.2016.

Mr. Ashish Sanghi, DAG, Punjab accepts notice on behalf of the State.

Reply on behalf of the State be filed within three weeks.

In the meanwhile, the parties are directed to appear before the learned Illaqa Magistrate, who shall record their statements and report to this Court whether the compromise effected between the parties is genuine and without any coercion or pressure.”

Thereafter, the report of the Sub Divisional Judicial Magistrate,

Kharar dated 03.05.2016 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 pressure. ASI Sukhwinder Singh 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, this petition is allowed and the *FIR No.60 dated 01.05.2013 , under Sections 324, 506, 34 IPC, registered at Police Station Kharar, District SAS Nagar* and all other proceedings arising therefrom are quashed qua the petitioners.

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

(AJAY TEWARI)
JUDGE

July 20, 2016
sunita