

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

**Criminal Misc.No.M-13568 of 2016 (O&M)
Date of Decision : 18th October, 2016**

Amrinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Hemant Saini, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab
for the respondent(s)-State.

Mr. B.S.Khehar, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.143 dated 23.08.2013, registered under Sections 420, 120-B IPC, at Police Station Makhu, District Ferozepur and all consequential proceedings arising therefrom on the basis of compromise between the parties.

On 25.04.2016, the following order was passed:-

“Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.143 dated 23.08.2013 under Sections 420, 120-B of Indian Penal Code, registered at Police Station Makhu, District Ferozepur on the basis of compromise dated 07.04.2016 (Annexure P-2) which as per

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counsel has been entered into between the parties.

Counsel would contend that the matter is still at the stage of investigation and the dispute between the parties which was essentially civil in nature has been amicably resolved.

Notice of motion, returnable to 25.05.2016.

At this stage, Mr. Birinder Singh Khehar, Advocate who is present in Court accepts notice on behalf of the complainant/Respondent No.2 and also states that a compromise has been effected.

In the meanwhile, parties are directed to appear before the Illaqa Magistrate concerned on 09.05.2016 for recording of their statements and report with regard to veracity of the compromise be furnished on or before the adjourned date.”

Thereafter, the report of the Judicial Magistrate Ist Class, Zira dated 20.05.2016 has been received. In the report, he has mentioned that the aforesaid parties have appeared before him and has attested to the fact that a compromise has indeed taken place and that the compromise has been executed voluntarily and without any pressure.

The 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.

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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.

18th October, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No