

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

C.R.M-M No.1343 of 2015 (O&M)
Date of Decision : 04.10.2016

Manjeet Kaur Chaudhary and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vivek Arora, Advocate
 for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Gourav Jain, Advocate for
the respondent No.2.

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.259 dated 19.06.2014 registered under Sections 406/420/467/468/471/506/120-B IPC and under Section 66 of IT Act, at Police Station Sector 5, Panchkula and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 13.07.2016 the following order was passed :-

“Reply by way of affidavit of Assistant Commissioner of Police Headquarter, Panchkula filed on behalf of respondent – State in Court today is taken on record.

Adjourned to 04.10.2016.

In the meantime, let the parties appear before the Chief Judicial Magistrate/Illaq Magistrate, Panchkula on 22.08.2016 or any other date convenient to the Magistrate for

recording their statements with regard to compromise. The Magistrate is directed to record the statements of both the parties to his satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The Magistrate is also directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal proceedings are pending against either of the parties or not before the next date of hearing.”

Thereafter, the report of the Addl. Chief Judicial Magistrate, Panchkula dated 23.08.2016 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.

Learned Deputy Advocate General has also accepted this fact.

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.

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

Pooja sharma-I

Yes/No

Yes/No