

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

**C.R.M-M No.15781 of 2016 (O&M)
Date of Decision : 31.08.2016**

Avtar Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. B.D.Sharma, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

Mr. Gurmohan Singh Bedi, Advocate
for 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.172 dated 18.07.2014 registered under Sections 63 and 65 of Copy Right Act, 1957 (Amendment Acts, 1984 & 1991), at Police Station Sultanwind, District Amritsar City and all other consequential proceedings arising therefrom on the basis of compromise

effected between the parties.

On 09.05.2016 the following order was passed :-

“Learned counsel for the petitioner contends that the allegations were of infringement of Copyright Act, 1957 of the complainant-respondent No.2.

Notice of motion.

Mr. Ashish Sanghi, DAG, Punjab accepts notice on behalf of the State and Mr. Gurmohan Singh Bedi, Advocate has put in appearance on behalf of respondent No.2.

Both the parties are directed to appear before the trial court, which shall record the statements of the parties and report to this Court whether the compromise effected between the parties is genuine and without any pressure.

Adjourned to 31.08.2016.”

Thereafter, the report of the Judicial Magistrare 1st Class, Amritsar dated 29.08.2016 has been received whereby he has mentioned that the parties had appeared before him 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.

Consequently, this petition is allowed and the above said FIR and all consequential proceedings arising therefrom are quashed qua the petitioner.

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

31.08.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No