

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

**C.R.M-M No.17627 of 2016 (O&M)
Date of Decision : 15.09.2016**

Sandeep Rajan

..... Petitioner

Versus

State of U.T. and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : None for the petitioner.

Mr. Amandeep S.Gill, APP, U.T.

Mr. Som Nath, Advocate for the complainant.

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.388 dated 28.09.2015 registered under Sections 294/509 IPC, at Police Station Sector 17, Chandigarh and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 20.05.2016 the following order was passed :-

“Learned counsel for the petitioner contends that the parties have compromised the matter. The case is pending trial.

Notice of motion for 15.09.2016.

Mr. Som Nath Aneja, Advocate has put in appearance on behalf of respondent No.2.

In the meanwhile, 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.”

Thereafter, the report of the Chief Judicial Magistrate, Chandigarh dated 10.08.2016 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 State counsel for U.T. 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.

15.09.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No