

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

CRM-M No. 18253 of 2016 (O&M)

Date of decision :20.09.2016

Ram Singh and another

..... Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Rajender Kumar, Advocate for the petitioners.

Mr.Deepak Grewal, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.103 dated 15.05.2012, under Sections 324, 323, 506, 34 IPC, registered at Police Station, Chandhut, District Palwal on the basis of compromise. On 25.05.2016 the following order was passed:-

“ Learned counsel for the petitioners contended that the trial is at evidence stage. It is an injury case and now parties have compromised the matter.

Notice of motion for 20.09.2016.

On the asking of the Court Mr. Pawan Gaur, DAG, Haryana, present in Court, accepts notice on behalf of the State.

In the meanwhile, both the parties are directed to appear before the trial Court who shall record the

statements of the parties and submit its report whether the compromise effected between the parties, is genuine and is without any coercion, pressure or undue influence.”

Thereafter, the report of Chief Judicial Magistrate, Palwal dated 12.09.2016 has been received whereby he had reported that initially the complainant was not ready to give statement and requested for an adjournment but later on he appeared before him and got his statement recorded with regard to compromise. Statement of accused to this effect was also recorded. He attested to the fact that a compromise had indeed taken place between the parties and that the compromise had been executed voluntarily and without any pressure. Learned DAG 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.103 dated 15.05.2012, under Sections 324, 323, 506, 34 IPC, registered at Police Station, Chandhut, District Palwal 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

September 20 , 2016
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No