

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

201-A

**C.R.M-M No.18588 of 2016
Date of Decision : 01.12.2016**

Sahab Singh and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. J.S. Cooner, Advocate
for the petitioners.

Mr. Kuldeep Tiwari, Addl.A.G., Haryana.

Mr. Parveen Chauhan, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing of FIR No.17 dated 10.03.2016, registered under Sections 148, 149, 323, 427, 506, 365, 511 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and all consequential proceedings arising therefrom on the basis of compromise between the parties.

On 20.09.2016 the following order was passed:-

“The parties through their counsel are directed to appear before the trial Court on 24.10.2016, who will record their statements with regard to the compromise on the said

date or on any other convenient date. The Court 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 Court 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 case is pending against either of the parties or not before the next date of hearing.

Adjourned to 1.12.2016.”

Thereafter, the report of the Additional District & Sessions Judge dated 10.11.2016 has been received. In the report, she has mentioned that the aforesaid parties have appeared before her 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 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 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.

December 01, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No