

CRM-M No. 18767 of 2016

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

CRM-M No. 18767 of 2016

Date of decision : December 15, 2016

Tarsem Singh and others,

..... Petitioners

v.

State of Punjab and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gautam Diwan, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG Punjab

Ajay Tewari, J (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.78, dated 30.04.2015, registered under Sections 406, 420, 467, 468, 471, 120-B of the IPC, at Police Station Sadar Ludhiana on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 4.10.2016, report

dated 7.12.2016 from the JMIC Ludhiana has been received attesting to

the fact that the matter has been compromised between the parties.

Counsel for the parties have also stated that in fact the matter has been compromised between the parties amicably. Counsel for the State of Punjab has also confirmed this fact and states that there is no other case pending between the parties.

In **Gian Singh v. State of Punjab and another**, reported as 2012(4) RCR(Criminal) 543, the Supreme Court has discussed in detail the inherent powers of the High Court in quashing criminal proceedings 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 the 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, the present petition is allowed and FIR No.78, dated 30.04.2015, registered under Sections 406, 420, 467, 468, 471, 120-B of the IPC, at Police Station Sadar Ludhiana, and all

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subsequent proceedings, emanating therefrom, are quashed.

December 15, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No