

Date of Decision : 30.11.2016

..... Petitioner

Versus

..... Respondents

Mr. Gopal Singh Nahel, Advocate for
Mr. J.P. Ratra, 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.258 dated 26.12.2012 registered under Section 420 IPC at Police Station Jandiala Guru, District Amritsar and all other consequential proceedings arising therefrom.

On 21.12.2015 the following order was passed :-

“Learned counsel for the petitioner submits that an application has been moved before the trial court seeking compounding of offences on the basis of compromise. He prays for some time to seek instructions and apprise the court about the fate thereof.

Adjourned to 26.2.2016.

Proceedings before the trial court to continue meanwhile.”

At the very outset learned Deputy Advocate General on instructions from ASI Harjit Singh states that the matter has been settled between the petitioner and the complainant and he would have no objection if the FIR is quashed.

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.

30.11.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No