

257 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.24795 of 2016 (O&M)
Date of Decision : 30.08.2016

Charanjeev Singh Ahluwalia and another Petitioners

Versus

State of Punjab and another Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. I.P.S.Mangat, Advocate for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

Ms. Harmeet Kaur, Advocate for respondent No.2.

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.119 dated 11.10.2013 registered under Section 420 IPC, at Police Station Division No.4, Ludhiana and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 23.07.2016 the following order was passed :-

“Learned counsel states that the statement was

already record by order Annexure P-2 and this petition has been filed now because as per the compromise the entire payment has been made.

Notice of motion. On the asking of the Court, Mr. K.S. Pannu, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent No.1.

Ms. Harmeet Kaur, Advocate has entered appearance on behalf of respondent No.2 and has accepted the aforesaid contention.

Learned counsel for the petitioners undertakes to supply a copy of the petition to the learned opposite counsel during the course of the day.

To come up on 30.08.2016.”

Parties have confirmed that the compromise has been arrived at between the parties.

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 petitioners.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

30.08.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No