

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

1. **C.R.M-M No.27084 of 2016 (O&M)**

Karamjit Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

2. **C.R.M-M No.27203 of 2016 (O&M)
Date of Decision : 05.12.2016**

Sukhwant Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Arnav K.Sood, Advocate for
 Mr. A.S.Sekhon, Advocate
 for the petitioners (CRM-M-27084 of 2016)
 for respondent No.2 (CRM-M-27203 of 2016).

Mr. Abhinav Jain, Advocate
for the petitioners (CRM-M-27203 of 2016)
for the respondents (CRM-M-27084 of 2016).

Mr. Ashish Sanghi, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This order shall dispose of the above mentioned two petitions.
The petition bearing No. **CRM-M-27084 of 2016** has been

filed under Section 482 Cr.P.C. for quashing of FIR No. 60 dated
20.07.2014, under Sections 324/323/34 IPC, registered at Police Station

Sadiq, District Faridkot and subsequent proceedings arising therefrom on

the basis of compromise.

The petition bearing No. **CRM-M-27203 of 2016** has been filed under Section 482 Cr.P.C. for quashing of DDR No. 16 dated 22.07.2014 registered under Sections 324/323/336/148/149 IPC and Sections 25/27/54/59 of Arms Act in FIR No.60 dated 20.07.2014, registered at Police Station Sadiq, District Faridkot and subsequent proceedings arising therefrom on the basis of compromise.

On 03.10.2016 the following order was passed in CRM-M-27084 of 2016 :-

“To come up on 05.12.2016.

Let the parties are directed to be present before the trial Court/Illaq Magistrate on the date fixed i.e. 04.11.2016 or any other date convenient to the Court for recording their statements with regard to compromise. The Court is directed to record the statements of both the parties to its satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The Court is further directed to send report along with the statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal case is pending against either of the parties or not before the next date of hearing.

A photocopy of this order be placed on file of the connected case.”

Thereafter, the report of the Judicial Magistrate 1st Class, Faridkot dated 28.11.2016 has been received whereby he has mentioned that the parties had appeared before him and had attested to the fact that a compromise has indeed taken place between them and that the compromise has been executed voluntarily and without any pressure.

Learned Deputy Advocate General has accepted this fact.

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, both the petitions are allowed and the above said DDR, 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.

05.12.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No