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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.254 **CRM-M No. 29430 of 2016**
Date of decision : 27.10.2016

Jaspal Singh and others **..... Petitioners**

Versus

State of Punjab and another **..... Respondents**

***

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

***

Present : None for the petitioner.

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 F.I.R. No 75 dated 08.12.2015 under Sections 379-B, 506 IPC and Sections 25, 27, 54, 59 of the Arms Act at P.S. Sekhwan, Police District Batala, District Gurdaspur on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 24.08.2016, report dated 07.09.2016 from Additional Sessions Judge, Gurdaspur Gurgaon has been

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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 has also confirmed this fact and states that there is no other case pending between the parties.

In view of the facts, noticed herein above, it is apparent that both the parties have arrived at a bona fide settlement. I am of the opinion that it would be in the interest of justice, as also in the interest of parties, if the present FIR and all subsequent proceedings, emanating therefrom are quashed. It is a fit case where this Court should exercise jurisdiction, under Section 482 of the Cr.P.C to put an end to these futile criminal proceedings.

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

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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, the present petition is allowed and F.I.R. No 75 dated 08.12.2015 under Sections 379-B, 506 IPC and Sections 25, 27, 54, 59 of the Arms Act at P.S. Sekhwan, Police District Batala, District Gurdaspur and all subsequent proceedings, emanating therefrom, are quashed.

(AJAY TEWARI)
JUDGE

October 27, 2016
anuradha

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**