

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

**Criminal Misc.No.M-29136 of 2015 (O&M)
Date of Decision : 07th November, 2016**

Gurpreet Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab
for the respondent(s)-State.

Mr. Davinder Dhillon, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.207 dated 28.07.2015, registered under Sections 365, 323, 324, 341, 506, 148, 149 IPC, at Police Station City Barnala, District Barnala and all consequential proceedings arising therefrom on the basis of compromise between the parties.

On 27.07.2016, the following order was passed:-

“This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.207 dated 28.07.2015, under Sections 365, 323, 324, 341, 506, 148, 149 IPC, registered at Police Station City Barnala, District Barnala on the basis of compromise (Annexure P-2).

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Service is complete. Let the parties appear before the Illaqa Magistrate on 29.09.2016 or any other date convenient to the Magistrate for recording their statements with regard to compromise. The Illaqa Magistrate is directed to record the statements of both the parties to his satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The Illaqa Magistrate is also directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal proceedings are pending against either of the parties or not before the next date of hearing.

Adjourned to 07.11.2016 for awaiting the report of the Illaqa Magistrate.”

Thereafter, the report of the Chief Judicial Magistrate, Barnala dated 14.10.2016 has been received. In the report, he has mentioned that the aforesaid parties have appeared before him and has attested to the fact that a compromise has indeed taken place and that the compromise has been executed voluntarily and without any pressure.

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.

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Consequently, this petition is allowed and the above said FIR and all consequential proceedings arising therefrom are quashed qua petitioners.

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

07th November, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No