

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

Criminal Misc.No.M-31747 of 2016 (O&M)

Date of Decision : 06th October, 2016

Tarun Goel

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Amit Bhanot, Advocate for the petitioner.

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

None for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.06 dated 18.01.2010, registered under Sections 420, 467, 468, 471 IPC, at Police Station Morinda, District Roopnagar, and all consequential proceedings arising therefrom on the basis of compromise between the parties.

On 09.09.2016, the following order was passed:-

“The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.6 dated 18.01.2010 registered under Sections 420/467/468/471 IPC, at Police Station Morinda, District Roopnagar and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

Notice of motion. On the asking of the Court, Mr. B.S.Thind, AAG, Punjab accepts notice on behalf of the respondent No.1. Mr. Sudhir Kumar, Advocate has entered appearance on behalf of respondent No.2.

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

Criminal Misc.No.M-31747 of 2016 (O&M)

In this case the parties have recorded their statements before the trial Court and have thereafter filed the petition.

Learned AAG seeks a short adjournment to confirm these facts.

Adjourned to 06.10.2016.

The statements of the parties regarding compromise have already been recorded.

The Hon'ble 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 petitioner.

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

**(AJAY TEWARI)
JUDGE**

06th October, 2016

mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No