

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

Crl. Misc. No. M-35162 of 2015

DATE OF DECISION: 26.02.2016

Shehzad Ali and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- Mr. Saqib Ali Khan, Advocate  
for the petitioners.

Mr. T.N. Sarup, Addl. A.G., Punjab.

Mr. Rahul Sharma, Advocate  
for the complainant.

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**DAYA CHAUDHARY, J.**

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.111 dated 19.7.2013 registered under Sections 354,341,323,295 and 506 IPC at Police Station City Malerkotla, District Sangrur and other consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

Aforesaid FIR was registered by respondent No.2, wherein, certain allegations were levelled against the petitioners.

During pendency of the proceedings, a compromise was arrived at

between the parties and now the present petition has been filed for quashing of the FIR on the basis of compromise.

While issuing notice of motion on 13.10.2015, the parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In response to the said direction issued by this Court, the parties have appeared before SDJM, Malerkotla and their statements were recorded. After recording of their statements, a report along with the statements of the parties has been sent, which is on record wherein the factum of compromise has been affirmed. It has also been mentioned in the report that the compromise arrived at between the parties is genuine and without any pressure from either side. Complainant-respondent No.2 has specifically stated in his statement that he has settled the dispute with the accused persons and he has no objection in quashing of the FIR and other proceedings. Similarly, respondent No.3 has also stated in her statement that she has no objection in quashing of the FIR and other proceedings.

Since the dispute between the parties has been settled by way of compromise; complainant has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, it would not be in the interest of the parties as the complainant is not going to support the case of the prosecution. The purpose of the compromise is to maintain peace and harmony in the relations.

It has also been held by Five Judges' Bench of our own

High Court in **Kulwinder Singh and others vs. State of Punjab and others, 2007(3) RCR (Criminal) 1052** that this Court has wide power to quash the criminal proceedings even in non-compoundable offences, notwithstanding the bar under Section 320 of the Criminal Procedure Code in order to prevent abuse of the process of law or to secure the ends of justice.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.111 dated 19.7.2013 registered under Sections 354,341,323,295 and 506 IPC at Police Station City Malerkotla, District Sangrur as well as all subsequent proceedings arising therefrom qua petitioners, namely, Shehzad Ali, Jamilan, Iftikhar @ Raja and Mohammed Aamir, are hereby quashed.

February 26, 2016  
pooja

**(DAYA CHAUDHARY)**  
**JUDGE**