

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

CRM-M No. 38131 of 2016

Date of decision : December 21, 2016

Hakam Singh and others,

..... Petitioners

v.

State of Punjab and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. MS Dhaliwal, Advocate
for the petitioners.

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 FIR No.47, dated 6.7.2012, registered under Sections 382, 323, 34 of the IPC, at Police Station Barnala on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 24.10.2016, report dated 10.11.2016 from the ACJM, Barnala has been 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 of Punjab has also confirmed this fact and states that there is no other case pending between the parties.

In **Gian Singh v. State of Punjab and another**, reported as 2012(4) RCR(Criminal) 543, the Supreme Court has discussed in detail the inherent powers of the High Court in quashing criminal proceedings 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 the 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 FIR No.47, dated 6.7.2012, registered under Sections 382, 323, 34 of the IPC, at Police Station Barnala, and all subsequent proceedings, emanating therefrom, are quashed.

December 21, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No