

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

**Criminal Misc.No.M-38615 of 2016 (O&M)
Date of Decision : 26th October, 2016**

Harinder Singh alias Kabddi

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Piyush Sharma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.222 dated 24.10.2010, registered under Sections 326, 324, 34 IPC, at Police Station City Ferozepur, District Ferozepur and all consequential proceedings arising therefrom on the basis of compromise between the parties.

Notice of motion.

On the asking of the Court, Mr. Ashish Sanghi, DAG, Punjab has accepted notice on behalf of respondent(s)-State.

Mr. Rishu Mahajan, Advocate for Mr. B.S.Sidhu, Advocate has also appeared on behalf of respondent No.2.

The co-accused/petitioners have already filed another petition i.e. Criminal Misc.No.M-30267 of 2016 for quashing of said FIR on the basis of compromise which is also fixed for today at Sr. No.251 and in that

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petition when the statements of the parties were recorded before the learned trial Court on 01.09.2016, the statement of present petitioner was also recorded.

The report of the Chief Judicial Magistrate, Ferozepur dated 17.09.2016 has been received in the aforesaid matter. In the report, she has mentioned that the parties have appeared before her 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.

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**

26th October, 2016
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