

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

C.R.M-M No.7020 of 2016 (O&M)

Date of Decision : 22.11.2016

Satnam Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ashok Singla, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

Mr. Ravish Bansal, Advocate
for respondent No.2 and 3.

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of F.I.R. No.80 dated 14.06.2011 registered under Sections 420 IPC and 82 Registration Act, 1908 at Police Station Chhajli, District Sangrur and final report under Section 173 Cr. P.C. dated 23.04.2012 under Sections 420/218/467/468/471/477-A IPC and all other consequential proceedings arising therefrom and also for setting

aside the order dated 12.04.2012 passed by JMIC, Sunam whereby the petitioner No.1 has been wrongly been declared as proclaimed offender.

On 14.09.2016 the following order was passed :-

“The parties through their counsel are directed to appear before the trial Court on 17.10.2016, who will record their statements with regard to the compromise on the said date or on any other convenient date. The Court is directed to record the statements of both the parties to its satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The Court 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 case is pending against either of the parties or not before the next date of hearing.

Adjourned to 22.11.2016.”

Thereafter, the report of the Judicial Magistrate 1st Class, Sunam dated 12.10.2016 has been received whereby he has mentioned that the parties had appeared before him and had attested to the fact that a compromise has indeed taken place between them and that the compromise has been executed voluntarily and without any pressure.

Learned Deputy Advocate General has also accepted this fact.

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, order declaring petitioner No.1-Satnam Singh as proclaimed offender and all consequential proceedings arising therefrom are quashed qua the petitioners.

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

22.11.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No