

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

CRM-M No. 7281 of 2016

Date of decision : November 11, 2016

Hardial Singh and others,

..... Petitioners

v.

State of Punjab and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Pushpinder Kaur, Advocate
for Ms. GK Mann, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG Punjab

Mr. Meharpreet Khera, Advocate
for respondents No.2 and 3.

Ajay Tewari, J (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.214, dated 24.08.2005, registered under Sections 323, 325, 326, 148, 149 of the IPC, at Police Station Sultanwind, District Amritsar City on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 29.2.2016, report dated 20.9.2016 from the JMIC, Amritsar 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

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No.214, dated 24.08.2005, registered under Sections 323, 325, 326, 148, 149 of the IPC, at Police Station Sultanwind, District Amritsar City, and all subsequent proceedings, emanating therefrom, are quashed.

November 11, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No