

**263-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No. 8522 of 2015 (O&M)
Date of Decision : 09.08.2016**

Surinder Pal @ Shinda and others Petitioners

Versus

State of Punjab and another Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Pankaj Bali, Advocate for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

Mr. B.K.Chaudhary, Advocate for respondents No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. is for quashing of FIR No.203 dated 19.09.2013 under Sections 307/341/342/323/506/148/149 IPC and Section 307 has been deleted later on registered at Police Station City Khanna, District Ludhiana (Annexure P-1) and other consequential proceedings arising therefrom on the basis of compromise.

On 26.11.2015 the following order was passed :-

“It has been informed that offence under Section 307 IPC has been deleted.

Parties are directed to appear before the trial Court on 07.01.2016. The trial Court shall record the statements of the parties on said date or any other day convenient to the Court and send a report to this Court regarding its satisfaction that the matter has been compromised voluntarily without any threat, coercion or undue influence.

For report and arguments, to come up on 07.03.2016.”

Thereafter, the report of the Sub Divisional Judicial Magistrate, Khanna dated 08.01.2016 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 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.

August 09, 2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No