

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

**C.R.M-M No.9825 of 2016 (O&M)
Date of Decision : 03.10.2016**

Sita Ram Ola and others

..... Petitioners

Versus

The State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Dilpreet Singh, Advocate for
Mr. Anurag Arora, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Ms. Amanpreet Kaur Sabharwal, Advocate for
for respondent No.2.

AJAY TEWARI, J. (Oral)

The present petition has been filed under Section 482
Cr.P.C. for quashing of F.I.R. No.438 dated 28.08.2014 registered under
Sections 420/408/468/471/120-B IPC, at Police Station Khaidki Daula,
District Gurgaon and all other consequential proceedings arising
therefrom on the basis of compromise effected between the parties.

On 31.05.2016 the following order was passed :-

“Reply on behalf of the State has been filed in Court today and the same is taken on record.

Adjourned to 3.10.2016.

In the mean time both the parties are directed to appear before the trial Court which shall record their statements and send the report to this Court as to whether the parties have effected compromise and if so, whether the same is genuine and without any pressure and undue coercion.”

Thereafter, the report of the Judicial Magistrare 1st Class, Gurgaon dated 01.08.2016 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.

03.10.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No