

248

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 40190 of 2015
Date of Decision: 10.07.2017

Jasbir Singh

.....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Bikramjit Aroura, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Senior D.A.G., Punjab.

RAJIV NARAIN RAINA, J.(Oral)

On 01.08.2016, the following order was passed by this Court:-

“To come up on 05.10.2016.

*Parties are directed to be present before
the trial Court/Illaq Magistrate on the date fixed i.e.
31.08.2016 or any other date convenient to the Court
for recording their statements with regard to
compromise. 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
further directed to send report along with the statements*

of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal case is pending against either of the parties or not before the next date of hearing.”

Thereafter, the report has been submitted by the Judicial Magistrate Ist Class, Jalandhar, by his letter dated 14.12.2016, addressed to the Registrar General. In the report, he has mentioned that the aforesaid parties have appeared before him 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 Hon'ble Supreme Court in **Gian Singh v. State of Punjab and another, 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 FIR No. 12, dated 01.02.2015, registered under Sections 323/324/341/427/326 I.P.C., at Police Station Kartarpur, District Jalandhar, against accused- Jasbir Singh son of Didar Singh resident of Chhota KajiKot Road, Tarn Taran, and all

consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise.

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

July 10, 2017
Apurva

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No