

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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C.R.M-M No.1653 of 2019 (O&M)
Date of Decision : 21.05.2019

Jagdeep Singh @ Deepa

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Narinder Singh Dadwal, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

Mr. Jagjit Singh, Advocate
for respondent No.2.

AJAY TEWARI, J. (ORAL)

This petition has been filed for quashing of FIR No.320 dated 22.11.2018, registered under Sections 336, 506 IPC and Sections 25, 27 of the Arms Act at Police Station Sadar, Jagraon, District Ludhiana on the basis of compromise effected between the parties alongwith all consequential proceedings arising therefrom.

On 16.01.2019, the following order was passed:-

“This is a petition for quashing of FIR No. 320 dated

22.11.2018 (Annexure P-1) registered at Police Station Sadar, Jagraon, District Ludhiana, under Sections 336/506 of IPC and Sections 25 and 27 of Arms Act and all consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion.

Mr. Kirat Singh Sidhu, DAG, Punjab accepts notice on behalf of respondent No.1-State and Mr. Jagjit Singh, Advocate accepts notice on behalf of respondent No.2.

Parties are directed to appear before the trial Court on 12.3.2019 for getting their statements recorded regarding the compromise. After recording the statements of the parties, learned trial Court/Illaqu Magistrate shall transmit its report as regards genuineness of the compromise between the parties to this Court well before the next date of hearing.

Adjourned to 21.05.2019.”

Thereafter, the report of the Sub Divisional Judicial Magistrate, Jagraon dated 13.03.2019 has been received. 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.

Learned Sr. Deputy Advocate General on instructions from H.C. Jarnail Singh has also accepted that compromise has indeed taken place between the parties and that the same has been executed voluntarily and without any pressure.

The Hon'ble 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 alongwith all consequential proceedings arising therefrom are quashed qua petitioner.

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

May 21, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No