

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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C.R.M-M No.8645 of 2019 (O&M)  
Date of Decision : 21.05.2019

Arun Sharma and another

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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Present : Mr. G.C. Shahpuri, Advocate  
for the petitioners.

Mr. Surinder Singh, A.A.G, Haryana.

Ms. Bhavna Grewal, Advocate  
for respondent No.2.

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AJAY TEWARI, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C.  
for quashing of F.I.R. No.284 dated 04.12.2015 registered under Sections  
323, 325, 34, 506 IPC at Police Station Bilaspur, District Yamuna Nagar  
and all other consequential proceedings arising therefrom on the basis of  
compromise effected between the parties.

On 26.02.2019, the following order was passed:-

*“The present petition has been filed under Section 482*

*Cr.P.C. for quashing of F.I.R. No.284 dated 04.12.2015 registered under Sections 323, 325, 34, 506 IPC at Police Station Bilaspur, District Yamuna Nagar and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.*

*Notice of motion. On the asking of the Court, Mr. Himmat Singh, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent No.1-State. Ms. Bhavna Grewal, Advocate has entered appearance on behalf of respondent No.2. Counsel for the petitioners undertakes to supply a copy of the petition to the learned opposite counsel during the course of the day.*

*To come up on 21.05.2019. Meanwhile, the parties are directed to be present before the trial Court on the date fixed which is stated to be 30.04.2019 or on 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 and proclamation proceedings is pending against either of the parties before the next date of hearing.”*

Thereafter, the report of the Sub Divisional Judicial Magistrate, Bilaspur dated 01.05.2019 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.

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 petitioners.

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

**May 21, 2019**  
*ashish*

**( AJAY TEWARI )**  
**JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No