

**C.R.M-M No.17679 of 2018 (O&M)**  
**Date of Decision : 27.03.2019**

..... Petitioners

## Versus

..... Respondents

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

Present : Mr. Aayush Gupta, Advocate  
for the petitioners.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

None for respondent No.2.

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**AJAY TEWARI, J. (Oral)**

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.206 dated 25.11.2015 under Sections 420/120-B IPC at Police Station Division No.6, Industrial Area, District Ludhiana City and all other consequential proceedings arising therefrom on the basis of compromise effected between the parties.

On 21.09.2018 the following order was passed :-

*“Learned counsel for the petitioners states that as per her instructions, statements of the parties have been recorded by the trial court.*

*Since no one is present on behalf of respondent No.2, in the interest of justice, adjourned to 20.11.2018.”*

Thereafter on 20.11.2018 the following order was passed :-

*“It has been reported by learned Chief Judicial*

*Magistrate, Ludhiana vide his communication dated 20.09.2018 that due to election dutyailable warrants issued to respondent No.2-Neeraj Pandit could not be executed.*

*Let freshailable warrants be issued to respondent No.2 for 06.02.2019.”*

Thereafter, on 06.02.2019 the following order was passed :-

*“Respondent No.2 is present in Court and states that because of unforeseen circumstances he could not get his statement recorded before the Court but will now get it recorded before the Court.*

*Let him now get his statement recorded before the concerned CJM on 27.02.2019.*

*Adjourned to 27.03.2019 to await report.”*

Thereafter, the report of the Chief Judicial Magistrate, Ludhiana dated 28.02.2019 has been received wherein it has been mentioned that the matter has been compromised without any inducement, coercion, threat and pressure.

Learned Senior Deputy Advocate General on instructions from SI Puran Singh 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 petitioners.

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

**27.03.2019**

*Pooja sharma-I*

**( AJAY TEWARI )  
JUDGE**

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No