

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

CRM-M No. 19497 of 2018 (O&M)
Date of decision : February 27, 2019

Walaiti Ram

..... Petitioner

v.

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab

Ajay Tewari, J (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.66, dated 2.6.2012, registered under Sections 420, 467, 468, 471, 120-B of the IPC and Section 13(1)-D of the Prevention of Corruption Act, at Police Station Division No.4, Ludhiana on the basis of a compromise, arrived at between the parties.

It deserves to be noticed that originally the offence under the Prevention of Corruption Act was also included in the FIR. However, charge has only been framed against the petitioner under Sections 420, 467, 468, 471, 120-B of the IPC.

Pursuant to the order of this Court dated 8.5.2018, report dated 13.6.2018 from the JMIC, Ludhiana has been received attesting to the fact

that the matter has been compromised between the parties.

Counsel for the petitioner has stated that in fact the matter has been compromised between the parties amicably. Counsel for the State of Punjab has also confirmed this fact and states that there is no other case pending between the parties.

In **Gian Singh v. State of Punjab and another**, reported as 2012(4) RCR(Criminal) 543, the Supreme Court has discussed in detail the inherent powers of the High Court in quashing criminal proceedings 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 the 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, the present petition is allowed and FIR No.66, dated 2.6.2012, registered under Sections 420, 467, 468, 471, 120-B of the IPC, at Police Station Division No.4, Ludhiana, and all subsequent proceedings, emanating therefrom, are quashed qua the petitioners.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

February 27, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No