

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

CRM-M No. 32514 of 2018
Date of decision : February 22, 2019

Tejbir Singh and another

..... Petitioners

v.

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Varun Sharma, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG Punjab

Mr. Sanjeev Kumar, Advocate
for Mr. JS Dadwal, Advocate
for respondent No.2.

Ajay Tewari, J (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.166, dated 30.10.2015, registered under Sections 452, 323, 324, 148, 149 of the IPC, at Police Station Gate Hakima, District Amritsar City, on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 1.8.2018, report dated 21.2.2019 from the JMIC, Amritsar has been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the parties have also stated that in fact the matter

has been compromised between the parties amicably. Counsel for the State of Punjab, on instructions from ASI Dilbag Singh, 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.166, dated 30.10.2015, registered under Sections 452, 323, 324, 148, 149 of the IPC, at Police Station Gate Hakima, District Amritsar City, 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 22, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No