

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

CRM-M No. 3390 of 2018
Date of decision : May 13, 2019

Nisha and another

..... Petitioners

v.

State of Punjab and another

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Amit Dhawan, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG Punjab

Mr. Abhimanyu Vinayak, 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.160, dated 25.09.2015, registered under Section 420 of the IPC and Section 8 of the Prevention of Corruption Act, at Police Station Kartarpur, District Jalandhar on the basis of a compromise, arrived at between the parties.

On 18.5.2019, the following order was passed :-

“ Learned proxy counsel appearing for learned counsel for the petitioner submits that challan in this case was presented only under Section 420 read with Section 34 IPC. The police has not filed challan for offence punishable under the Prevention of Corruption Act.

List on 17.08.2018.

Copy of the challan be placed on record.”

Today, learned Sr. DAG Punjab, on instructions from ASI Kulbir Singh, has accepted that while filing the challan, allegations under the Prevention of Corruption Act were omitted.

Pursuant to the order of this Court dated 29.1.2018, report dated 22.3.2018 from the JMIC Jalandhar has been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the parties have 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.160, dated 25.09.2015, registered under Section 420 of the IPC and Section 8 of the Prevention of Corruption Act, at Police Station Kartarpur, District Jalandhar, 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.

May 13, 2019
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No