

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

CRM-M No. 41514 of 2018 (O&M)
Date of decision : January 24, 2019

Aroop Rattan Bhattacharya and others

..... Petitioners

v.

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Rajni Maurya, Advocate
for Mr. Rakesh Gupta, Advocate
for the petitioners.

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.33, dated 20.3.2014, registered under Sections 420, 467, 468, 471, 34 of the IPC, at Police Station Sadar Khanna, District Ludhiana on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 17.10.2018, report dated 5.11.2018 from the JMIC, Khanna has been received attesting to the fact that the matter has been compromised between the parties. It deserves to be noticed here that in this case, the original complainant Himmat Singh son of Baldev Singh had died and the statement was recorded by his

adopted son Gurpreet Singh.

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 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.33, dated 20.3.2014, registered under Sections 420, 467, 468, 471, 34 of the IPC, at Police Station Sadar Khanna, District 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.

January 24, 2019
'kk'

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No