

C.R.M-M No.44563 of 2018 (O&M)
Date of Decision : 14.01.2019

Versus

Service is complete.

Learned counsel for the petitioner as well as learned counsel for respondent Nos.2 and 3 state that compromise has been effected between the parties.

List on 15.12.2018.

Meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate on 12.11.2018 and to get recorded their statements regarding compromise. The learned trial Court/Illaq Magistrate, is directed to send the report regarding the genuineness of compromise on or before the date fixed in the instant petition.

A copy of this order be sent to learned trial Court/Illaq Magistrate, through fax, for compliance.”

Thereafter, the report of the JMIC, Samana dated 14.12.2018 through District & Sessions Judge, Patiala has been received whereby he has mentioned that the parties had appeared before him and had attested to the fact that a compromise has indeed taken place between them and that the compromise has been executed voluntarily and without any pressure, force, undue influence and coercion and neither declared proclaimed offender nor any such proceedings are pending against the accused.

Learned Deputy Advocate General 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

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 the petitioners.

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

14.01.2019

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No