

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

CRM-M No. 48049 of 2018

Date of decision : January 29, 2019

Avtar Kaur and others

..... Petitioners

v.

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Kewal Singh, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG Punjab

Mr. AK Dahiya, 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.40, dated 1.8.2016, registered under Sections 419, 420, 465, 467, 471, 120-B of the IPC, at Police Station Satnampura, District Kapurthala on the basis of a compromise, arrived at between the parties.

Pursuant to the order of this Court dated 30.10.2018, report dated 4.11.2018 from the SDJM, Phagwara 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 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.40, dated 1.8.2016, registered under Sections 419, 420, 465, 467, 471, 120-B of the IPC, at Police Station Satnampura, District Kapurthala, and all subsequent proceedings, emanating therefrom, are quashed.

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

January 29, 2019
'kk'

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No