

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

C.R.M-M No.48119 of 2018 (O&M)

Date of Decision : 16.5.2019

Vikram Arora and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Akhilesh Vyas, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

Mr. Manpreet Ghuman, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.337 dated 10.9.2018, under Sections 341, 323, 295, 506, 34 IPC registered at Police Station Civil Lines, District Police Commissionerate Amritsar and all other consequential proceedings arising therefrom on the basis of compromise.

On 8.2.2019 the following order was passed :-

“This petition has been filed for quashing of FIR No.337 dated 10.9.2018 on the basis of compromise.

Mr. Manpreet Ghuman, Advocate, puts in appearance and accepts notice on behalf of respondent No.2.

The parties are directed to appear before the trial

Court/Illaqa Magistrate on 28.3.2019 for getting their statements recorded. After recording the statements of the parties, the learned trial Court/Illaqa Magistrate shall send a report to this Court as regards genuineness of compromise well before the next date of hearing.

Adjourned to 16.5.2019.”

Thereafter, the report of the Chief Judicial Magistrate, Amritsar dated 3.4.2019 has been received whereby he has mentioned that the parties had appeared before him and had attested to the fact that a bonafide compromise has indeed taken place between them without any pressure and the same is genuine and neither any accused has been declared proclaimed offender nor P.O. proceedings are pending against the accused.

Learned DAG has accepted these facts.

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 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, 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.

16.5.2019
anuradha

(AJAY TEWARI)
JUDGE

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