

C.R.M-M No.50984 of 2018 (O&M)
Date of Decision : 11.03.2019

..... Petitioners

..... Respondents

Service is complete.

Learned counsel for the petitioners as well as learned counsel for respondent No.2 state that compromise has been effected between the parties.

List on 04.02.2019.

Meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate on 10.12.2018 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 Chief Judicial Magistrate, Panipat dated 01.02.2019 has been received wherein it has been mentioned that the Court is satisfied with regard to the authenticity of the statement of the accused persons and the complainant. Compromise has been arrived at without any kind of undue influence or pressure.

Learned State Counsel 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 pronouncements, 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.

11.03.2019

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No