

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

CRM-M No. 54097 of 2018
Date of decision : May 13, 2019

Harbhajan Kaur

..... Petitioner

v.

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab

Mr. Gautam Thapar, 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.180, dated 9.11.2013, registered under Sections 323, 324, 34, 326 of the IPC, at Police Station Bhogpur, District Jalandhar on the basis of a compromise, arrived at between the parties.

Counsel for the petitioner states that in the FIR, one more person Surinder Singh has been shown to have injured but since there is no MLR that person has been left out.

Learned Sr. DAG Punjab, on instructions from SI Kirpal Singh, has accepted the factual assertion.

Pursuant to the order of this Court dated 7.12.2018, report dated 11.1.2019 from the JMIC, Jalandhar has been received attesting to the

fact that the matter has been compromised between the parties.

Counsel for the parties have 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.180, dated 9.11.2013, registered under Sections 323, 324, 34, 326 of the IPC, at Police Station Bhogpur, District Jalandhar, and all subsequent proceedings, emanating therefrom, are quashed qua petitioner-Harbhajan Kaur.

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

May 13, 2019
'kk'

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No