

267 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.61462-2018 (O&M)
Date of Decision : 5.3.2019

Bimla Devi and others Petitioners

Versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sandeep Kumar Yadav, Advocate
for the petitioners.

Dr. Sushil Gautam, DAG, Haryana.

Ms. Bhavna Grewal, Advocate
for respondents No. 2 to 6.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.187 dated 20.11.2012, under Sections 420, 406, 409, 467, 468, 471, 474, 120-B, 34 IPC registered at Police Station Ateli, District Mahendergarh and all other consequent proceedings on the basis of compromise.

On 19.12.2018 the following order was passed :-

“Notice of motion.

On the asking of the Court, Mr. Raj Kumar Makkad, DAG, Haryana, has accepted notice on behalf of respondent(s)-State. Ms. Bhavna Grewal, Advocate, has appeared and filed power of attorney on behalf of respondent Nos.2 to 6. Copies of the paper book alongwith documents have been supplied to the said counsel.

Service is complete.

Learned counsel for the petitioners as well as learned counsel for respondent Nos.2 to 6 state that compromise has been effected between the parties. Complete copy of the paper book has been supplied to the said counsel.

Service is complete.

List on 05.03.2019.

Meanwhile, the parties are directed to appear before the learned trial Court/Illaq Magistrate on 17.01.2019 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 Civil Judge (Jr. Divn.) Narnaul dated 17.1.2019 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 out of their free will and without any force and 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 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 FIR No.187 dated 20.11.2012, under Sections 420, 406, 409, 467, 468, 471, 474, 120-B, 34 IPC registered at Police Station Ateli, District Mahendergarh 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.

5.3.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No