

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-17765 of 2015

.....

Date of decision:18.9.2015

Baljit Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

Present: Mr. Munish Gulati, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

None for complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.83 dated 20.4.2015 (Annexure-P.1) registered for the offences under Sections 354 and 451 IPC at Police Station City Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

The FIR has been registered on the statement of complainant-Renu Bala on the allegations that the accused-petitioner oppressed the complainant. He hold her arm and touched her breast. On raising hue and cry and on hearing noise, complainant's sister came and the accused ran away from the spot. Now with intervention of friends, elders and respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Chief Judicial Magistrate, Ferozepur, has sent her report dated 7.8.2015 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Punjab and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court

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in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.83 dated 20.4.2015 (Annexure-P.1) registered for the offences under Sections 354 and 451 IPC at Police Station City Ferozepur, District Ferozepur and all subsequent proceedings arising out of the same are hereby quashed.

September 18, 2015.

(Inderjit Singh)
Judge

hsp