

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. Nos.4876 and 4877 of 2015

and

Criminal Misc. No.M-29406 of 2014

.....

Date of decision:12.2.2015

Rajvinder Kaur alias Raj Kaur and another

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Present: Mr. R.K. Upadhay, Advocate for the petitioners.

Mr. Amarinder Singh Klar, Assistant Advocate General, Punjab
for the respondent-State.

Mr. R.K. Sharma, Advocate for Mr. Chander Shekhar Singhal,
Advocate complainant-respondent No.2.

.....

Inderjit Singh, J.

Cr. Misc. No.4876 of 2015:

For the averments made in the criminal miscellaneous application, exemption from filing certified copies of Annexures-P.4 and P.5 is granted and the documents Annexures-P.4 and P.5 are taken on record subject to all just exceptions.

The criminal miscellaneous application stands disposed of.

Cr. Misc. No.4877 of 2015:

For the averments made in the criminal miscellaneous application, Sandeep Singh is impleaded as petitioner No.2 in the main petition. Amended memo of parties is taken on record subject to all just exceptions.

The criminal miscellaneous application stands disposed of.

Cr. Misc. No.M-29406 of 2014:

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.165 dated 29.8.2012 (Annexure-P.1) registered for the offences under Sections 341, 324, 506 and 120-B IPC at Police Station City Sunam, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

The FIR has been registered on the statement of complainant-Rajveer Singh on the allegations that at the instance of the petitioner No.1 some unknown persons have attacked and caused injuries on the person of complainant-respondent No.2. Now with intervention of elders and respectable persons of the society, 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 Sub Divisional Judicial Magistrate, Sunam (Sangrur) has sent his report dated 12.12.2014 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 Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case

[3]

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 petitioners as well as learned Assistant Advocate General, Punjab and learned counsel for complainant-respondent No.2 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 in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.165 dated 29.8.2012 (Annexure-P.1) registered for the offences under Sections 341, 324, 506 and 120-B IPC at Police Station City Sunam, District Sangrur and all subsequent proceedings arising out of the same are hereby quashed.

February 12, 2015.

(Inderjit Singh)
Judge

hsp