

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

1. Crl. Misc. No.M- 29778 of 2014(O&M)
Date of Decision: February 4, 2015.

Kamlesh Kaur and another PETITIONER(s)

Versus

State of Punjab and another RESPONDENT (s)

2. Crl. Misc. No. M- 30768 of 2014(O&M).

Satnam Singh PETITIONER(s)

Versus

State of Punjab and another RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Saurav Khurana, Advocate
for the petitioners.

Mr. P.S.Grewal, DAG, Punjab.

Ms. Shamita Kaushik, Advocate
for respondent No.2.

LISA GILL, J.

1. This order shall dispose of Crl. Misc. No.M-29778 of 2014
(Kamlesh Kaur and another v. State of Punjab and another) and Crl. Misc.
No.M-30768 of 2014 (Satnam Singh v. State of Punjab and another).

Prayer in both the abovenoted petitions is for quashing of FIR

No.142 dated 02.07.2013, under Sections 380/447/448/34 IPC, registered at

police station Salem Tabri, District Ludhiana and all other consequential proceedings arising therefrom on the basis of compromise dated 10.03.2014, Annexure P2, having been entered into between the parties.

2. Aforesaid FIR has been registered on the basis of an application submitted by Jaswant Singh, respondent No.2 alleging the commission of offences punishable under Sections 380/447/448/34 IPC by the petitioners.

3. Due to the intervention of respectables, elders and friends, a compromise has been arrived at between the parties on 10.03.2014, Annexure P2. The parties wish to live in peace and harmony and put an end to the acrimony between them. They belong to the same area.

4. This Court on 08.09.2014 had directed the parties to appear before learned trial court for getting their statements recorded in respect to the above-mentioned compromise. Learned trial court was directed to submit a report regarding the genuineness of the compromise entered into between the parties.

5. Pursuant thereto, report dated 28.01.2015 has been received from the Judicial Magistrate First Class, Ludhiana wherein it is observed that the settlement between the parties is genuine and entered into without any threat, coercion or undue influence and out of the free will of the parties. Statements of the complainant alongwith the petitioners have been recorded in this respect, which are appended alongwith the report.

6. Ms. Shamita Kaushik, Advocate puts in appearance on behalf of Jaswant Singh, respondent No.2 in both the cases while reiterating the factum of settlement between the parties she submits that respondent No.2 has no objection to the quashing of the aforementioned FIR against the petitioners in

both the petitions.

7. In Kulwinder Singh and others versus State of Punjab and another 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.

8. In view of the above, it would be in the interest of justice to quash the abovesaid FIR as no useful purpose would be served by continuing the present proceedings. It will only lead to wastage of precious time of the court and would be an exercise in futility as the chances of conviction of the petitioners are bleak.

9. Both the petitions are, thus, allowed and FIR No.142 dated 02.07.2013, under Sections 380/447/448/34 IPC, registered at police station Salem Tabri, District Ludhiana alongwith all consequential proceedings is, hereby, quashed.

February 4, 2015.
'om'

(LISA GILL)
JUDGE