

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

**CRM-M No. 16490 of 2016
Date of decision: 24.10.2016**

Sandeep & Another

...Petitioners

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Amandeep Soni, Advocate
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab
for respondent No. 1-State.

None for respondent Nos. 2 to 7.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 133 dated 04.11.2014 (**Annexure P-1**), registered under Sections 354-A and 34 of the Indian Penal Code at Police Station Division No. 4, District Jalandhar and all subsequent proceedings arising therefrom in view of the compromise dated 10.09.2015 (**Annexure P-2**) entered into between the parties.

The FIR has been registered on the statement of complainant-Radhika Gauri on the allegations that the accused-petitioners have harassed her and raised comments on her while she was going to college along with her friends. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqa Magistrate for

getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Chief Judicial Magistrate, Jalandhar stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same appears to be genuine one. It is also reported that no other case or PO proceeding is pending against either of the parties.

Learned Assistant 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, he 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 rival parties and gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, a 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.

Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Cr.) 543*, this petition is allowed and FIR No. 133 dated 04.11.2014 (**Annexure P-1**), registered under Sections 354-A and 34 of the Indian Penal Code at Police Station Division No. 4, District Jalandhar and

all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

24.10.2016
Ansari

(JAISHREE THAKUR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>