

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

Crl. Misc. M 20311 of 2016 (O&M)
Date of decision: 7.11.2016

Jagjit Singh @ Jagga and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. CS Jattana, Advocate
for the petitioners.

Mr. Mikail Kad, AAG, Punjab.

Mr. Harinder Singh, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking for quashing of FIR No. 18 dated 3.3.2016 (Annexure P/1) registered under Sections 458, 354, 323, 148, 149 IPC and under Sections 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act at Police Station Sardulgarh, District Mansa and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant—Amarjit Kaur on the allegations that the accused-petitioners levelled allegations against the complainant that her character is not good. On account of this, the complainant along with her Jethani Soma Rani went to

the house of one of the accused Gurpreet Singh on 1.3.2016 at about 10 a.m. to make a complaint against the accused. Because of this, the family members of Gurpreet Singh annoyed and as such on 2.3.2016 at about 9.30 p.m. when the complainant was at her house the accused entered her house along with three unknown persons. They declared that *kutie bornie* today they will taught her a lesson for making complaint against them at their house. They slashed her clothes and dragged her. When she raised *roula marta marta*, then they fled from the spot. Now with the intervention of 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from the Sub Divisional Judicial Magistrate, Sardulgarh, stating 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 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 parties and have also 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 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. 18 dated 3.3.2016 (Annexure P/1) registered under Sections 458, 354, 323, 148, 149 IPC and under Section 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act at Police Station Sardulgarh, District Mansa and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

7.11.2016

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
No