

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

**CRM-M No. 26823of 2015
Date of decision: 27.10.2016**

Shamsher Singh & Others

...Petitioners

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parminder Singh Kanwar, Advocate
for the petitioners.

Mr. Arshdeep S. Kler, DAG, Punjab
for respondent No. 1-State.

None for respondent Nos. 2 to 4.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 85 dated 05.05.2015 **(Annexure P-1)**, registered under Sections 452, 427, 506, 354, 323, 148 and 149 of the Indian Penal Code at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The FIR has been registered on the statement of complainant Mandir Kaur on the allegations that the accused-petitioners have forcibly entered into her house while she was sitting with her father and grandmother and the accused-petitioners gave beatings abused the complainant and her family members as well. 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 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 Additional Chief Judicial Magistrate, Tarn Taran, 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.

Learned Deputy Advocate General, Punjab on instructions from the Investigating Officer admits 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 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. 85 dated 05.05.2015 (**Annexure P-1**), registered under Sections 452, 427, 506, 354, 323, 148 and 149 of the Indian Penal Code at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

October 27, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No