

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-3170 of 2016

.....

Date of decision:5.4.2016

Onkar Singh and others

.....Petitioners

v.

State of Punjab and others

.....Respondents

....

Present: Mr. Robin Bansal, Advocate for Mr. Raj Kumar Gupta,
Advocate for the petitioners.

Mr. Varun Sharma, Assistant Advocate General, Punjab
for the respondent-State.

None for the complainant-respondents No.2 and 3.

.....

Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.199 dated 17.9.2015 (Annexure-P.1) registered for the offences under Sections 307, 324, 323, 341 and 506 IPC at Police Station Laddowal, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2) entered into between the parties.

The FIR in the present case has been registered on the statement of complainant-Balvir Singh alias Balvir Kumar on the allegations that Onkar Singh (petitioner No.1), who is husband of Deepika (respondent No.3), along with his accomplices armed with weapons came to their house and attacked them and inflicted injuries to them. Now with

[2]

the intervention of respectable persons, the matter has been amicably settled between the parties and they have resolved their dispute amongst themselves with the help of respectable persons known to both the parties. Respondents No. 1 and 3 have no objection if the above mentioned FIR is quashed.

Learned counsel for the petitioners argued that petitioner No.1 and respondent No.3 are husband and wife and injuries inflicted on the person of respondents are simple injuries and now they have compromised the dispute amicably.

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 Judicial Magistrate Ist Class, Ludhiana, has sent his report dated 19.3.2016 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 admits the factum of compromise and submits 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 petitioners as well as learned Assistant Advocate General, Punjab and have gone through the record.

[3]

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.199 dated 17.9.2015 (Annexure-P.1) registered for the offences under Sections 307, 324, 323, 341 and 506 IPC at Police Station Laddowal, District Ludhiana and all subsequent proceedings arising out of the same are hereby quashed.

April 5, 2016.

(Inderjit Singh)
Judge

hsp