

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

1. CRM-M No. 3475 of 2016

Harpal Singh & Others ...Petitioners

Versus

State of Punjab & Another ...Respondents

2. CRM-M No. 3485 of 2016

Dharminder Singh @ Bhinda Others ...Petitioners

Versus

State of Punjab & Another ...Respondents

Date of Decision: 14.12.2016

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Navdeep Kaler, Advocate
for the petitioners in CRM-M No. 3475 of 2016
for respondent No. 2 in CRM No. 3485 of 2016.

Mr. Suvir Kumar, Advocate
for the petitioners in CRM No. 3485 of 2016
for respondent No. 2 in CRM-M No. 3475 of 2016.

Mr. Arshdeep S. Kler, DAG, Punjab
for respondent-State in both cases.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above mentioned two petitions.

The first petition has been filed to quash the DRR No. 32 dated 07.01.2015, registered under Section 452, 323, 506 and 341 of the IPC and the second petition is for quashing the FIR No. 118 dated 25.04.2014,

registered under Sections 354, 323, 324, 341 and 506 of the IPC at Police Station Jodhewal, District Ludhiana. The petitioners in both the cases are rival parties in the above mentioned FIR. The said DDR is alleged to have been registered as counter blast to the said FIR. Prayer is for quashing the said DDR and FIR and all subsequent proceedings arising therefrom in view of the compromise entered into between the rival parties.

The FIR in question was registered on the statement of complainant-Amandeep Kaur whereas the said DDR was registered on the statement of complainant-Nirmal Kaur. Now with the intervention of respectable persons, the dispute has been amicably settled between the parties and they have entered into a compromise.

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 Judicial Magistrate First Class at Ludhiana, 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 PO proceeding is pending against either of the parties.

Learned Deputy Advocate General, Punjab on instructions from the Investigating Officer submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the said FIR and DDR, 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*, both the above mentioned petitions are allowed and FIR No. 118 dated 25.04.2014, registered under Sections 354, 323, 324, 341 and 506 of the IPC at Police Station Jodhewal, District Ludhiana and DRR No. 32 dated 07.01.2015 and all subsequent proceedings arising thereunder are quashed qua above mentioned both the sets of petitioners.

Petitions stand disposed of.

14.12.2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No