

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-34359 of 2015

.....

Date of decision:27.7.2016

Satnam Singh and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Present: Mr. Mohit Rampal, Advocate for the petitioners.

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

Mr. Manbir Singh Natth, Advocate for the complainant-
respondent No.2.

.....

Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.56 dated 10.5.2015 for the offences under Sections 307, 324, 148 and 149 IPC registered at Police Station Ajnala, District Amritsar Rural 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-Harpal Singh on the allegations that the petitioners have attacked him and inflicted injuries. Learned counsel for the petitioners contended that there are two injuries dangerous to life collectively inflicted, but the case is still under investigation. Therefore, he argued that as the parties have entered into agreement, the FIR should be

quashed.

Reply by way of affidavit of Shri Manmohan Singh Aulakh, PPS, Deputy Superintendent of Police Sub Division, Ajnala, District Amritsar (Rural) has been filed on behalf of the State, wherein it has been mentioned that during the course of investigation Baldev Singh submitted an application for the innocence of Satnam Singh and Gurpal Singh, which was enquired by DSP-Investigation and the complainant produced an affidavit duly attested by Executive Magistrate, Ajnala that the complainant does not want to proceed against the accused and DSP-Investigation directed the Investigation Officer to record statements of both the parties in the Court and conclude the investigation. Both the parties recorded their statements in the Court of SDJM, Ajnala on 8.1.2016.

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 Sub Divisional Judicial Magistrate, Ajnala, has sent his report dated 14.1.2016 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 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

[3]

Hon'ble Supreme Court.

I have heard learned counsel for the petitioners as well as learned Assistant Advocate General, Punjab and learned counsel for complainant-respondent No.2 and have gone through the record.

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.56 dated 10.5.2015 for the offences under Sections 307, 324, 148 and 149 IPC registered at Police Station Ajnala, District Amritsar Rural and all subsequent proceedings arising out of the same are hereby quashed.

July 27, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No