

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

**CRM-M No. 36541 of 2016
Date of decision: 05.12.2016**

Harpal Singh & Another

...Petitioners

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Kumar Saini, Advocate
for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for respondent No. 1-State.

Mr. Gopal Singh Nahel, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 187 dated 12.09.2016 (**Annexure P-1**), registered under Section 306 of the Indian Penal Code at Police Station Samrala, District Khanna and all subsequent proceedings arising therefrom in view of the compromise (**Annexure P-2**) entered into between the parties.

The above mentioned FIR was registered on the statement of complainant-Harbans Kaur against the accused-petitioners. Now with the intervention of respectable persons, the matrimonial 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 Sub-Divisional Judicial Magistrate at Samrala, 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 Assistant Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for respondent No. 2-complainant admit the factum of compromise and submit that in case the parties have indeed settled their dispute, they 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. 187 dated 12.09.2016

(Annexure P-1), registered under Section 306 of the Indian Penal Code at Police Station Samrala, District Khanna and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

December 05, 2016
SP/Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No