

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

**CRM-M No. 37497 of 2016
Date of decision: 14.12.2016**

Gurjant Singh & Others

...Petitioners

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasbir Singh, Advocate
for the petitioners.

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

Mr. Sandeep Kumar Katik, Advocate
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. 30 dated 27.03.2016 (**Annexure P-1**), under Sections 341, 323, 506 and 34 of the IPC, registered at Police Station Balongi, District Mohali and cross case bearing GD No. 24 of the even dated registered under Sections 354-B, 294, 323 and 506 of the IPC registered at the same police station all subsequent proceedings arising therefrom in view of the compromise dated 02.08.2016 (**Annexure P-3**) entered into between the parties.

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 Chief Judicial Magistrate, S.A.S. Nagar, Mohali, 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 or criminal case is pending against either of the parties.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent Nos. 2 to 4 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. 30 dated 27.03.2016 **(Annexure P-1)**, under Sections 341, 323, 506 and 34 of the IPC, registered at Police Station Balongi, District Mohali and cross case bearing GD No. 24 of the even dated registered under Sections 354-B, 294, 323 and 506 of the IPC at the same police station and all subsequent proceedings arising thereunder are quashed qua respondent Nos. 2 to 4 and petitioners herein, respectively.

The petition stands disposed of.

14.12.2016

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No