

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

Date of decision: 03.12.2016

1. CRM-M No. 6090 of 2016

Rajinder Singh @ Billu & Anr. ...Petitioners

Versus

State of Punjab & another ...Respondents

2. CRM-M No. 12872 of 2016

Pardeep Kumar ...Petitioner

Versus

State of Punjab & another ...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Bhanu Pratap Singh, Advocate,
for the petitioners in CRM-M No. 6090 of 2016.

Mr. Jasraj Singh, Advocate
for the petitioner in CRM-M No. 12872 of 2016.

Mr. Mikhail Kad, AAG, Punjab
for respondent No. 1-State.

None for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This order of mine shall dispose of two petitions bearing Nos.
6090 and 12872 of 2016 arising out of the same FIR.

These petitions have been filed under Section 482 of the Code
of Criminal Procedure seeking quashing of FIR No. 22 dated 08.03.2012
(Annexure P-1), under Sections 420, 465, 467, 471 and 120-B of the
Indian Penal Code, registered at Police Station City, District Hoshiarpur and
all subsequent proceedings arising therefrom in view of the compromise

(Annexure P-2) entered into between the parties.

The FIR has been registered on the statement of complainant-Jatinder Singh, respondent No. 2 hererin. 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 the Chief Judicial Magistrate, Hoshiarpur, 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 the said FIR was registered against Rajinder Singh, Pardeep Kumar and Mohinder Singh, petitioners herein and one Dilbagh Singh, who has been declared as proclaimed person and P.O. proceeding is pending against one Dilbagh Singh only.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer 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 qua Rajinder Singh, Pardeep Kumar and Mohinder Singh, petitioners herein, 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. 22 dated 08.03.2012 (**Annexure P-1**), under Sections 420, 465, 467, 471 and 120-B of the Indian Penal Code, registered at Police Station City, District Hoshiarpur and all subsequent proceedings arising therefrom are quashed qua the petitioners herein only.

The petition stands disposed of.

A photocopy of this order be placed on the file of connected case.

03.12.2016

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No