

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

**CRM-M-1243-2017**

**Date of decision: 12.09.2017**

Gursharan Singh and others

...Petitioners

Versus

State of Punjab & another

...Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Inderjit Sharma, Advocate  
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Balraj Singh Sidhu, Advocate,  
for the complainant.

**JAISHREE THAKUR, J. (Oral)**

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of cross version/Rapat No. 34 dated 26.09.2016 (Annexure P-1) registered under Sections 376/511/341/506/323/120-B IPC and Section 3/4 SC & ST Act, of the case FIR No. 64 dated 26.09.2016 under Sections 376/511/354-B/506/323/120-B IPC, lodged at Police Station Balianwali, District Bathinda and all subsequent proceedings arising therefrom in view of the compromise dated 26.10.2016 (Annexure P-3) entered into between the parties.

In brief, the facts of the case are that respondent No.2 got lodged rapat No. 34 dated 26.09.2016 in the aforesaid FIR against the petitioners by levelling allegations that accused persons called her by name her caste and gave beatings and tried to commit rape upon her. On the basis of these allegations the aforesaid rapat against the petitioners was lodged by the police. The instant case is a cross version of FIR No. 64 dated

26.09.2016 (Anenxure P-2). 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 Judicial Magistrate Ist Class, Phul, 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 the respondent No. 2 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 cross version/Rapat No. 34 dated 26.09.2016 (Annexure P-1) registered under Sections 376/511/341/506/323/120-B IPC and Section 3/4 SC & ST Act, of the case FIR No. 64 dated 26.09.2016 under Sections 376/511/354-B/506/323/120-B IPC, lodged at Police Station Balianwali, District Bathinda and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

12.09.2017

*Satyawan*

(JAISHREE THAKUR)  
JUDGE

*Whether speaking/reasoned*

*Yes*

*Whether reportable*

*No*