

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-14351 of 2017

.....

Date of decision:5.9.2017

Sarvpreet Kaur and another

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

(2) Criminal Misc. No.M-14377 of 2017

.....

Sarvpreet Kaur and another

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Jasneet Nehra, Advocate for Mr. L.M. Gulati, Advocate for the petitioners.

Ms. Simranjeet Kaur, Assistant Advocate General, Punjab for the respondent-State.

Mr. Sunil Kumar, Advocate for the complainant-respondent No.2.

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Inderjit Singh, J.

This order will dispose of the above mentioned two criminal miscellaneous petitions i.e. Criminal Misc. No.M-14351 of 2017 filed under Section 482 Cr.P.C. for quashing of FIR No.215 dated 21.5.2012 registered for the offence under Section 420 IPC at Police Station Civil

Lines, Amritsar, District Amritsar City and and Criminal Misc. No.M-14377 of 2017 for quashing of FIR No.41 dated 12.6.2010 registered for the offences under Sections 419, 420, 467, 468 and 471 IPC at Police Station Cantonment, District Amritsar City and all other subsequent proceedings arising therefrom on the basis of compromise.

The FIRs have been registered on the statement of Narinder Kaur on the allegations that the petitioners have cheated her. Now with the intervention of respectable persons, both the parties have arrived at an amicable settlement and have effected a compromise.

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 Judicial Magistrates Ist Class, Amritsar have sent two reports dated 16.8.2017 and 19.8.2017 respectively in both the cases submitting that the compromises arrived at between the parties are without any pressure or coercion from any one and the same are genuine.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant admit the factum of compromises and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIRs in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties as well as learned State counsel 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, these petitions are allowed and FIR No.215 dated 21.5.2012 registered for the offence under Section 420 IPC at Police Station Civil Lines, Amritsar, District Amritsar City and FIR No.41 dated 12.6.2010 registered for the offences under Sections 419, 420, 467, 468 and 471 IPC at Police Station Cantonment, District Amritsar City and all other subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

September 5, 2017.

(Inderjit Singh)
Judge

hsp

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