

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-14381 of 2017

.....

Date of decision:1.6.2017

Ujjal Singh alias Bittu alias Ujjan Singh and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Present: Mr. J.S. Jaidka, Advocate for the petitioners.

Mr. K.S. Aulakh, Assistant Advocate General, Punjab for the
respondent-State.

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

.....

Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.106 dated 25.6.2016 (Annexure-P.2) registered for the offences under Sections 323, 324, 341, 506, 148, 149, 326 and 307 IPC at Police Station Daba, District Ludhiana City and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.1) entered into between the parties.

The FIR in the present case has been got registered by complainant-Vikramjit Singh on the allegations that the petitioners attacked him and inflicted injuries with their respective weapons. Now with the intervention of respectable persons, the matter has been amicably settled

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between the parties and they have resolved their dispute amongst themselves with the help of respectable persons known to both the parties.

Respondent No.2 has no objection if the above mentioned FIR is quashed.

Learned counsel for the petitioner argued that no injury dangerous to life has been inflicted and the matter has been amicably compromised between the parties.

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 Additional Sessions Judge, Ludhiana, has sent her report dated 19.5.2017 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State 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 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

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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, this petition is allowed and FIR No.106 dated 25.6.2016 (Annexure-P.2) registered for the offences under Sections 323, 324, 341, 506, 148, 149, 326 and 307 IPC at Police Station Daba, District Ludhiana City and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

June 1, 2017.

(Inderjit Singh)
Judge

hsp

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