

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

**CRM-M-16636-2017
Date of decision: 04.08.2017**

Anil Kumar Gupta & others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Suresh Kaushik, Advocate,
for the petitioners.

Mr. Rakesh Kumar Ambavta, AAG, Haryana.

Mr. Manish Soni, Advocate,
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 633 dated 07.08.2014, registered under Sections 323, 354, 354-B, 506, 34, 429 and 511 of the IPC, at Police Station Civil Lines, Gurugram and all subsequent proceedings arising therefrom in view of the compromise dated 29.04.2017 **(Annexure P-2)** entered into between the parties.

The aforesaid FIR was registered on the statement of respondent No. 2/complainant Smt. Bani Yadav with the allegations that the accused petitioners misbehaved and beaten her when she came out of her house for walk on 07.08.2014, due to which she suffered injuries. They also threatened her. Now with the intervention of respectable persons, the dispute has been amicably settled between the parties and they have entered into a compromise.

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 JMIC at Gurugram, 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, Haryana on instructions from the Investigating Officer and learned counsel for respondent No. 2-complainant, 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. 633 dated 07.08.2014, registered under Sections 323, 354, 354-B, 506, 34, 429 and 511 of the IPC, at Police Station Civil Lines, Gurugram and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 04, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No