

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

**CRM-M-16662-2017
Date of decision: 30.08.2017**

Rajwant Kaur & others

...Petitioners

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashish Aggarwal, Advocate,
for the petitioners.

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

Ms. Arti Kataria, Advocate for
Mr. Vivek Salathia, 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. 29 dated 13.02.2016, under Sections 323, 354, 427, 452, 506, 148 and 149 of the Indian Penal Code, at Police Station City Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom in view of the compromise dated 07.04.2017 (Annexure P-2) entered into between the parties.

The aforesaid FIR was registered on the basis of the statement given by the complainant/respondent No. 2-Harjeet Kaur with the allegations that on 12.02.2016 at about 9.00 PM, the petitioners herein along with four-five other unidentified persons forcibly entered into her home and did obscene activities with her. She further alleged that those unidentified persons also slapped her. Accused Rajwant Kaur threatened her of serious consequences and the accused persons also sabotaged her

Mahindra XUV car parked therein. With these allegations, the aforesaid FIR was registered. However, 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 trial Court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from JMIC, Tarn Taran, 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 respondent No. 2 admit to 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 *Narinder Singh & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed and FIR No. 29 dated 13.02.2016, under Sections 323, 354, 427, 452, 506, 148 and 149 of the Indian Penal Code, at Police Station City Tarn Taran, District Tarn Taran and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 30, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No