

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

CRM-M-17081-2017
Date of decision: 11.09.2017

Mukesh Dabra

...Petitioner

Versus

State of Haryana & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dhruv Dayal, Advocate
for the petitioner

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Inderjit Singh, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 85 dated 12.03.2017, under Section 354(A)(i) of the IPC and Section 3(i)(xi) of the SC/ST Act, registered at Police Station Farakpur, District Yamunanagar, and all subsequent proceedings arising therefrom in view of the compromise dated 23.04.2017 entered into between the parties.

In brief, the facts are that the above said FIR came to be registered on the statement of complainant-respondent No. 2-Anuradha Devi, wherein, she alleged that she has been working in New Rama School as a teacher. Few days ago, one Dabra Sir asked her to prepare Hindi grammar lesson for Class X and also asked her to be present in school on Saturday that was 11.03.2017. On that day, on some pretexts, he called the

complainant to the library and misbehaved with her. Now with the intervention of respectable persons of the society, 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, Yamuna Nagar, 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.

Ms. Gaganpreet Kaur, AAG, Haryana, on instructions from the Investigating Officer, and 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 FIRs in question, 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. 85 dated 12.03.2017, under Section 354(A)(i) of the IPC and Section 3(i)(xi) of the SC/ST Act, registered at Police Station Farakpur, District Yamunanagar, and all subsequent proceedings arising out of the same are quashed qua petitioner herein.

The petition stands disposed of.

11.09.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No