

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

**CRM-M-18088-2017  
Date of Decision: 16.08.2017**

**Paramjit Singh @ Kala & others**

**...Petitioners**

**Versus**

**State of Punjab & others**

**...Respondents**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Lalit Singla, Advocate,  
for the petitioners.

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

Mr. V. P. S. Mithewal, Advocate,  
for respondents No. 2 to 5.

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**JAISHREE THAKUR, J. (Oral)**

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 25 dated 19.04.2017, registered under Sections 354-A, 323, 148 and 149 of the IPC, at Police Station Khanauri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The aforesaid FIR was registered on the statement of complainant Sohan Lal-respondent No. 2. He alleged that he runs a fruit shop. On 17.04.2017 at about 6.00 AM he reached his shop along with his son Deepak aged about 15 years and his wife Manju and daughter Nisha, who is aged about 17 years, were alone at home. After some time, he received a telephonic call from his wife that when his daughter Nisha went

on the terrace for drying out the clothes, Paramjit Singh @ Kala was also standing on his terrace and seeing Nisha he got naked himself. His wife complained of the matter to the family of Paramjit Singh but instead of taking any action they abused her. Consequently, when the complainant and his brothers were on the way to police station to report the matter, brother of Paramjit Singh namely Bhajan Singh and his family members attacked them armed with Danda and Iron rod. 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 Sub Divisional Judicial Magistrate, Moonka, 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 respondents No. 2 to 5 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 ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Cr.) 543***, this petition is allowed and FIR No. 25 dated 19.04.2017, registered under Sections 354-A, 323, 148 and 149 of the IPC, at Police Station Khanauri, District Sangrur (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 16, 2017

*Ansari*

(JAISHREE THAKUR)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*