

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

Criminal Misc. No. M- 18888 of 2017(O&M)

Date of Decision: September 14 , 2017.

Raj Kumar and another PETITIONER(s)

Versus

State of Punjab and another RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ramneek Vasudeva, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Ashok Giri, Advocate
for the complainant/respondent No.2.

LISA GILL, J.

Prayer in this petition is for quashing of FIR No.124 dated 26.09.2013 under Sections 452/354A/323/294/34 IPC registered at Police Station Nangal, District Rupnagar and all other consequential proceedings arising therefrom on the basis of a compromise arrived at between the parties.

The abovesaid FIR was registered at the behest of respondent No.2. It is submitted that the parties are closely related as the complainant/respondent No.2 is the sister-in-law (Bhabhi) of the petitioners. With the intervention of respectables and relatives, a compromise was arrived at between the parties, the terms of which were reduced into writing on 07.03.2017. The parties wish to live

in peace and harmony and put an end to the acrimony between them.

This Court on 24.5.2017 directed the parties to appear before learned trial court for recording their statements in respect to the above-mentioned compromise. Learned trial court was directed to submit a report regarding the veracity of the compromise and intimate the number of persons involved in the FIR; whether any of them are declared to be proclaimed offenders and the status of the trial.

Pursuant to order dated 24.05.2017, the parties appeared before the learned Sub Divisional Judicial Magistrate, Anandpur Sahib and their statements were recorded on 06.09.2017. Respondent No.2 – Sonia stated that the matter has been amicably resolved with both the accused petitioners with the intervention of respectable persons of the village and family members. The compromise, it is stated, has been arrived at out of her own free will, without any undue influence and pressure from any side. Respondent No.2 further stated that she has no objection in case the abovesaid FIR is quashed against both the petitioners. Joint statement statement of the petitioners in respect to the settlement was recorded as well.

As per report dated 08.09.2017 received from the learned Sub Divisional Judicial Magistrate, Sri Anandpur Sahib, satisfaction is expressed that the compromise in question is genuine, arrived at voluntarily between the parties without any undue influence or pressure from any quarter. None of the petitioners are reported to be proclaimed offenders. Statements of the parties are appended alongwith the said report.

Learned counsel for respondent No.2 reaffirms and verifies the

factum of settlement between the parties. It is reiterated that respondent No.2 has no objection to the quashing of the abovementioned FIR against all the petitioners.

Learned counsel for the State has no serious objection to the quashing of this FIR on the basis of a settlement arrived at between the parties.

In **Kulwinder Singh and others versus State of Punjab and another** 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.

Keeping in view the facts and circumstances of this case, it would be in the interest of justice to quash the abovesaid FIR as no useful purpose would be served by continuance of the present proceedings. It will merely lead to wastage of precious time of the court and would be an exercise in futility.

This petition is, thus, allowed and FIR No.124 dated 26.09.2013 under Sections 452/354A/323/294/34 IPC registered at Police Station Nangal, District Rupnagar alongwith all consequential proceedings are, hereby, quashed.

September 14 , 2017.
'om'

(**LISA GILL**)
JUDGE

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