

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

1. Crl. Misc. M-19625 of 2017 (O&M)
Date of Decision: September 05, 2017

Daljit Singh @ Raunki

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

2. Crl. Misc. M-19586 of 2017 (O&M)

Bhagwant Singh @ Minoo and others

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.K.Hundal, Advocate
for the petitioner in CRM-M-19625-2017 and
for respondent No. 2 in CRM-M-19586-2017.

Mr. Tejwinder Singh Hundal, Advocate
for the petitioners in CRM-M-19586-2017 and
for respondent No. 2 in CRM-M-19625-2017.

Mr. M.S.Nagra, AAG, Punjab for the State.

JAISHREE THAKUR, J. (Oral)

The above mentioned petitions have been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 118, dated 08.08.2015 registered under Sections 354-A, 451 of Indian Penal Code (for short IPC) at Police Station Bhogpur, District Jalandhar City (Annexure P/1) and DDR No. 12 dated 11.08.2015 registered under Sections 323, 325 read with Section 34 IPC at the same police station along with all

subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

FIR No. 118 dated 08.08.2015 has been registered on the statement of complainant-Parwinder Kaur on the allegations that on 04.08.2015 at about 9:30 p.m., accused-petitioner Daljit Singh committed house trespass by entering into the house of complainant, caught hold of her from her back and started misbehaving and touching her.

DDR No. 12 dated 11.08.2015 has been registered on the statement of complainant Amrik Singh on the allegations that on 04.08.2015 at about 9:30 p.m., when complainant along with his family members was present at his residence, accused-petitioners Bhagwant Singh @ Minoo, Navdeep Singh and Balvir Singh armed with sticks, in furtherance of their common intention, forcefully entered his house and caused him simple as well as grievous injuries. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqua Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate Ist Class, Jalandhar, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and

submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR and cross version recorded in the DDR, in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties and have 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*, these petitions are allowed and FIR No. 118 dated 08.08.2015 under Sections 354A, 451 IPC and DDR No. 12 dated 11.08.2015 under Sections 323, 325 read with Section 34 IPC, both registered at Police Station Bhogpur, District Jalandhar along with all subsequent proceedings arising out of the same are quashed.

Both the above mentioned petitions stand disposed of.

September 05, 2017

Jyoti-II

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes
Yes/No