

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

**CRM-M-20343-2017
Date of Decision: 10.08.2017**

Lakhbir Singh @ Kala & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kushagra Mahajan, Advocate,
for the petitioners.

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

None for respondents No. 2 to 4.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 157 dated 05.10.2013, registered under Sections 354, 323, 324, 148 and 149 of the IPC (Section 325 IPC added later on), at Police Station Gharinda, District Amritsar 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 respondent No. 2/complainant Mandeep Kaur, who is working as Constable in Punjab Police. She alleged that one of the petitioners herein namely Baljit Singh @ Bal misbehaved and abused her while she was travelling in a bus of which he was the conductor. She narrated the incident to her brother Harpreet Singh and he complained of the same to Lakhbir Singh @ Kala,

who is Maama of Baljit Singh @ Bal. But, on the next morning, while she was waiting to board the bus along with her brother, all the petitioner armed with Stick, Datar etc. reached there and raised Lalkara and attacked them. 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 JMIC, Amritsar, 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, admits to 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, 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. 157 dated 05.10.2013, registered under Sections 354, 323, 324, 148 and 149 of the IPC (Section 325 IPC added later on), at Police Station Gharinda, District Amritsar and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 10, 2017

Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*