

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

1. CRM-M-23511-2017

Sushil Kumar and Another

...Petitioners

Versus

State of Haryana & others

...Respondents

2. CRM-M-17138-2017

Karam Chand & others

...Petitioners

Versus

State of Haryana & others

...Respondents

Date of decision: 11.09.2017

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Inderjit Singh, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Dhruv Dayal, Advocate
for respondents No. 2 and 3 in both cases.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above noted two petitions as they have arisen from the same incident.

These petitions have been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 87 dated 14.03.2017, under Sections 147, 149, 294, 323, 427, 452 and 506 of the IPC, registered at Police Station Farakpur, District Yamunanagar, and all subsequent proceedings arising therefrom in view of the compromise dated 13.06.2017

entered into between the parties.

In brief, the facts are that the above said FIR came to be registered on the statement of Meera Dabra wife of Mukesh Dabra, wherein she alleged that she is the Head Mistress of New Rama Krishna High School at Mayapur Colony and since the examinations were going on, they had called the students who were weak in studies for extra classes. On 12.03.2017, she and her husband had called students of Class X of Hindi subject. They had also called Anuradha madam to teach the students at 10.30 AM. However, Anuradha madam, in some conspiracy, also called her parents, brothers and sons of paternal uncle and 15-20 other people, all armed with sticks etc. They all opened the gate of the school forcibly and started beating the husband of the complainant. They also sabotaged the windows and doors of the school and threatened to kill. 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 Nos. 2 and 3 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*, these petitions are allowed and FIR No. 87 dated 14.03.2017, under Sections 147, 149, 294, 323, 427, 452 and 506 of the IPC, registered at Police Station Farakpur, District Yamunanagar, and all subsequent proceedings arising out of the same are quashed qua both the sets of petitioners herein.

The petitions stand disposed of.

11.09.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No