

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-29489 of 2017

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Date of decision:15.9.2017

Shingara Singh alias Nati and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajender Kumar, Advocate for Mr. P.S. Dhaliwal, Advocate for the petitioners.

Ms. Simranjeet Kaur, Assistant Advocate General, Punjab for the respondent-State.

Mr. Arjun Atri, Advocate for complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.0079 dated 13.6.2016 (Annexure-P.1) registered for the offences under Sections 420 and 406 IPC at Police Station Chhajli, District Sangrur and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

Learned counsel for the petitioners prays that the petition qua petitioner No.1-Shingara Singh alias Nati be dismissed as withdrawn as he has expired. The petition is dismissed as withdrawn qua petitioner No.1-Shingara Singh alias Nati.

The FIR has been registered on the statement of complainant-Parupkar Singh on the allegations that the accused-petitioners have cheated him. Now with the intervention of respectable persons, the matter has been amicably settled and compromise has been entered into between the parties, therefore, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Sunam has sent report dated 8.9.2017 submitting 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 and learned counsel for complainant-respondent No.2 admit the factum of compromise and submit 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 petitioners as well as learned State counsel and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, 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.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.0079 dated 13.6.2016 (Annexure-P.1) registered for the offences under Sections 420 and 406 IPC at Police Station Chhajli, District Sangrur and all subsequent proceedings arising out of the same are hereby quashed qua petitioners No.2 and 3 i.e. Rani Kaur and Sohna Singh.

September 15, 2017.

(Inderjit Singh)
Judge

hsp

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