

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

**CRM-M-31661-2017
Date of Decision: 31.10.2017**

Sukrampal & others

..Petitioners

Versus

State of Haryana & another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P. K. Hooda, Advocate
for the petitioners.

Mr. P. P. Chahar, DAG, Haryana.

Mr. Tajinder Malik, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 0184 dated 01.06.2017, under Sections 148, 149, 323, 354-A, 452 and 506 of the IPC, registered at Police Station Matlauda, District Panipat 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 Reena with the allegations that on 31.05.2017 at about 6.30 PM, she was sitting in her house along with her husband Sh. Tejbir Singh. Suddenly, the petitioners herein along with four-five unknown person, armed with Lathi and Spade handles entered into their house. Sukrampal along with other persons started beating her husband.

When she tried to rescue her husband, Mahipal and Sahil gave her *Danda* blow at her back. They also misbehaved with her---. On raising hue and cry, they all ran away from their house giving threat to their lives. Subsequent to the incident the instant FIR was registered. However, 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 trial Court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from JMIC, Panipat, 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 Deputy Advocate General, Haryana, on instructions from the Investigating Officer, and learned counsel for respondent No. 2 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 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 *Narinder Singh & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed and FIR No. 0184 dated 01.06.2017, under Sections 148, 149, 323, 354-A, 452 and 506 of the IPC, registered at Police Station Matlauda, District Panipat and all subsequent proceedings arising therefrom are quashed qua the petitioners.

The petition stands disposed of.

31.10.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No