

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

CRM-M-32901-2017

Date of decision: 12.09.2017

Sandeep Singh @ Sony and others

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Balraj Singh Sidhu, Advocate
for the petitioners.

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

Mr. Inderjit Sharma, Advocate
for the complainant-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. 64 dated 26.09.2016, under Sections 376/511/354-B/506/323/120-B of the IPC, registered at Police Station Balianwali, District Bathinda and all subsequent proceedings arising therefrom in view of the compromise dated 26.10.2016 (Annexure P-2) entered into between the parties.

In brief, the facts of the case are that the case is version and cross-version and quashing of Rapat No. 34 dated 26.09.2016, filed by respondent No.2 Kulvir Kaur and co-accused titled as “Gurdarshan Singh and others vs. State of Punjab and another, vide CRM-M-1243-2017 have been quashed by order of even date wherein 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report in **CRM-M-1243-2017** since by order dated 07.09.2017, this case was ordered to be heard along with the same, has been received from the Judicial Magistrate Ist Class, Phul, 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 and learned counsel for the respondent No. 2 admit 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 ***Gian Singh Versus State of Punjab and another, 2012***

(4) RCR (Cr.) 543, this petition is allowed and FIR No. 64 dated 26.09.2016, under Sections 376/511/354-B/506/323/120-B of the IPC, registered at Police Station Balianwali, District Bathinda and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

12.09.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No