

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-34007 of 2016

.....

Date of decision:21.2.2017

Jarnail Singh and others

.....Petitioners

v.

State of Punjab and others

.....Respondents

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

.....

Present: Mr. Harmandeep Singh Saini, Advocate for the petitioners.

Mr. V.P.S. Sidhu, Assistant Advocate General, Punjab  
for the respondent-State.

Mr. Pawan Kumar Garg, Advocate for respondents No.2 to 4.

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**Inderjit Singh, J.**

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.90 dated 20.7.2013 registered for the offences under Sections 326, 323, 324, 120-B and 34 IPC at Police Station Bilga, District Jalandhar and cross-version got recorded by Jarnail Singh in this FIR against Nirmal Singh and others at Police Station Bilga, District Jalandhar and all other subsequent proceedings arising therefrom on the basis of compromise.

The FIR and the cross-version were got registered against Nirmal Singh and Jarnail Singh respectively against each other as dispute arose as a result of fight between the parties in which injuries were received by both the parties. This is a case of version and cross-version. Now with

the intervention of respectable persons, both the parties have arrived at an amicable settlement and have effected a compromise.

Keeping in view the fact that the parties have entered into a compromise, 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, Phillaur, District Jalandhar has sent his report dated 10.10.2016 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for complainant 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 and the cross-version in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties as well as learned Assistant Advocate General, Punjab 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.

[3]

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.90 dated 20.7.2013 registered for the offences under Sections 326, 323, 324, 120-B and 34 IPC at Police Station Bilga, District Jalandhar and cross-version got registered by Jarnail Singh in this FIR against Nirmal Singh and others at Police Station Bilga, District Jalandhar and all other subsequent proceedings arising out of the same are hereby quashed.

February 21, 2017.

**(Inderjit Singh)**  
**Judge**

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |