

CRM-M-38745-2016

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

CRM-M-38745-2016 (O & M)

Date of Decision: 09.01.2017

Lovejeet Singh @ Lovepreet Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Shivender Singh, Advocate for
Mr. B.S.Bhalla, Advocate,
for the petitioners.

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

Mr. Harkaran Singh, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.164 dated 17.06.2013, registered at Police Station A Division, Amritsar, under Sections 324, 323, 341, 148 and 149 IPC and Section 326 IPC (added later on) and all subsequent proceedings arising therefrom in view of the compromise dated 14.10.2016 (Annexure P-2).

The FIR has been registered on the statement of respondent No.2/complainant-Vijay Kumar Sharma on the allegations that the accused-petitioners attacked him and inflicted injuries. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

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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, Amritsar has sent his report dated 21.12.2016 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 respondent No.2-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 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 learned counsel for respondent No.2-complainant 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***

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another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.164 dated 17.06.2013, registered at Police Station A Division, Amritsar, under Sections 324, 323, 341, 148 and 149 IPC and Section 326 IPC (added later on) and all subsequent proceedings arising out of the same are hereby quashed.

09.01.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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