

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

1. CRM-M-38946-2017

Anu & others

...Petitioners

Versus

State of Punjab & others

...Respondents

2. CRM-M-38968-2017

Kuljeet Kaur & others

...Petitioners

Versus

State of Punjab & others

...Respondents

Date of decision: 08.12.2017

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Siddharth Sharma, Advocate
for the petitioners in CRM-M-38946-2017;
for the private respondents in CRM-M-38968-2017.

Ms. Harmanjeet Kaur, Advocate for
Mr. Rohit Samhotra, Advocate
for the petitioners in CRM-M-38968-2017;
for the private respondents in CRM-M-38946-2017.

Mr. Davinder Bir Singh, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same incident.

These petitions have been filed under Section 482 of the Code
of Criminal Procedure seeking quashing of FIR No. 89 dated 01.07.2017,
under Sections 354-B, 323, 427, 511, 506 and 34 of the IPC and its cross

version in DDR/Rapat No. 24 of the even date, registered under Sections 354-B, 323, 506 and 34 of the IPC, registered at Police Station Sadar, District Kapurthala and all subsequent proceedings arising therefrom in view of the compromise dated 06.09.2017 entered into between the parties.

The alleged incident took place on 28.06.2017 and the said FIR and its cross version in said DDR/Rapat have been registered by both the rival parties under the aforesaid sections. 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, reports have been received from the Additional Chief Judicial Magistrate, Kapurthala in both cases, stating therein 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. It is also reported that no PO proceeding is pending against either of the parties.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer admits to the factum of compromise and submits 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 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*, these petitions are allowed and FIR No. 89 dated 01.07.2017, under Sections 354-B, 323, 427, 511, 506 and 34 of the IPC and its cross version in DDR/Rapat No. 24 of the even date, registered under Sections 354-B, 323, 506 and 34 of the IPC, registered at Police Station Sadar, District Kapurthala and all subsequent proceedings arising out of the same are quashed qua both the sets of the petitioners herein.

The petitions stand disposed of.

A photocopy of this order be placed on the file of the other connected case.

08.12.2017
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No