

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-43551 of 2016

.....

Date of decision:16.3.2017

Jagdeep Singh and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

Present: Mr. Varun Sharma, Advocate for the petitioners.

Mr. J.S. Bhullar, Assistant Advocate General, Punjab for the respondent-State.

Mr. Ashdeep Singh, Advocate for the complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.0203 dated 29.5.2016 (Annexure-P.1) for the offences under Sections 307, 379 read with Section 34 IPC registered at Police Station Civil Lines, Police Commissionerate District Amritsar and all subsequent proceedings arising therefrom in view of the compromise dated 26.10.2016 (Annexure-P.2) entered into between the parties.

The FIR in the present case has been got registered by complainant-Amit Choudhary on the allegations that the petitioners having a motorcycle were standing at the backside of the Hotel Pizzeria, the number plate of which was covered with newspaper. Out of them, one person gave a blow of 'Datar' and the complainant rescued himself and the second person was having baseball and then all of three caught hold of him and snatched his Purse having ₹700/- and thereafter they have given him

beating and tried to run away on their motorcycle. The complainant raised alarm then with the help of pedestrians, they were nabbed. It has been mentioned in the petition that petitioner No.1 and respondent No.2 are known to each other, however, there arose a dispute between the parties which took shape in the form of the registration of the aforesaid FIR, but now both the petitioners and victim with the intervention of the respectable persons and common relatives have settled their differences/dispute.

Learned counsel for the petitioners argued that no grievous injury dangerous to life has been inflicted to the complainant/respondent No.2 and the offence under Section 307 IPC is not made out.

As now with the intervention of respectable persons, the matter has been amicably settled between the parties and they have resolved their dispute amongst themselves with the help of respectable persons known to both the parties, respondent No.2 has submitted that he has no objection if the above mentioned FIR is quashed.

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 Sessions Judge, Amritsar, has sent his report dated 20.2.2017 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 the complainant-respondent No.2 admit the factum of compromise and submit that in case

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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 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.

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.0203 dated 29.5.2016 (Annexure-P.1) for the offences under Sections 307, 379 read with Section 34 IPC registered at Police Station Civil Lines, Police Commissionerate District Amritsar and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

March 16, 2017.

(Inderjit Singh)
Judge

hsp

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