

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

Crl. Misc. M-5699 of 2017 (O&M)
Date of Decision: July 21, 2017

Dinesh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Chanakya Pandit, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

None for 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.04 dated 06.09.2015 registered under Section 506 of Indian Penal Code and Section 8 of POCSO Act at Police Station Women, Panipat (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant-Saumya on the allegations that the accused-petitioner has caught hold of her hand and also threatened to ruin her life. Now 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 Illaqua Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Judicial Magistrate First Class at Panitpat, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned AAG, Haryana, on instructions from the Investigating Officer admits 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 parties and have 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.04 dated 06.09.2015 registered under Section 506 of Indian Penal Code and Section 8 of POCSO

Act at Police Station Women, Panipat and all subsequent proceedings arising out of the same are quashed against the petitioner.

The petition stands disposed of.

July 21, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No