

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

**CRM-M-8616-2017 (O&M)
Date of Decision: 18.08.2017**

Simranjit Singh @ Simran Singh & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vishal Munjal, Advocate,
for the petitioners.

Mr. Abhaypal Singh Gill, Asstt. A.G., Punjab.

Mr. Akashdeep Sethi, Advocate,
for respondents No. 2 and 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 85 dated 06.10.2016, registered under Sections 354, 323, 506, 148, 149 of the IPC, at Police Station Kanwan, Tehsil and District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

The aforesaid FIR was registered on the statement of complainant Bharat Bhalotra-respondent No. 2. He alleged that on 01.04.2016 he reached his shed to feed his cattle where Simran Singh, Sachin, Rinki and two unidentified persons put rope around his neck and attacked with Kahi on his back, head and right ear. Thereafter he raised a raula, then one unknown person called his mother namely Sudesh Kumari

and she tried to convince them to leave him alone, then all of them abused her and pushed her and threw her down on the ground. All of them ran away with their respective weapons from the spot. However, 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, a report has been received from Judicial Magistrate Ist Class, Pathankot, stating 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.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer, and learned counsel for respondents No. 2 and 3 admit to the factum of compromise and submit that in case the parties have indeed settled their dispute, they 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 *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Cr.) 543*, this petition is allowed and FIR No. 85 dated 06.10.2016, registered under Sections 354, 323, 506, 148, 149 of the IPC, at Police Station Kanwan, Tehsil and District Pathankot (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

August 18, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No