

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

256

CRM-M-8658 of 2017
Decided on : 12.07.2017

Asha @ Ashu and others

... Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr.Hitesh Kumar Sammi, Advocate
for the petitioners.

Mr.M.S.Nagra, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 155 dated 10.10.2015 (**Annexure P-1**), registered under Sections 354, 354-A, 323, 324, 452 read with Section 34 of the Indian Penal Code (in short 'IPC') at Police Station Division No.7, Commissionrate Jalandhar and all subsequent proceedings arising therefrom in view of the compromise (**Annexure P-2**) entered into between the parties.

Briefly stated that respondent No.2, Balbir Kaur lodged the FIR in question against the present petitioners on the ground that they abused her and entered into her house forcibly. Now with the intervention of respectable persons, the matrimonial dispute has been amicably settled between the parties and they have entered into a compromise. 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 Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report dated 29.04.2017, has been received from the Judicial Magistrate 1st Class, Jalandhar 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. It is also reported that no other case is pending between the parties.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the respondent No. 2 admit 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. 155 dated 10.10.2015 (**Annexure P-1**), registered under Sections 354, 354-A, 323, 324, 452 read with Section 34 of the Indian Penal Code (in short 'IPC') at Police Station Division No.7, Commissionrate Jalandhar and subsequent proceedings arising out of the same are quashed qua the petitioners.

The petition stands disposed of.

[JAISHREE THAKUR]
JUDGE

12.07.2017
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No