

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

Crl. Misc. M- 14819 of 2018 (O&M)
Date of Decision: 04.07.2018

Brij Meghan & another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajiv Joshi, Advocate
for the petitioner(s).

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Ms. Deepika Mittal, Advocate
for the 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.18 dated 27.02.2017 registered under Sections 452, 354, 323, 506, 34 of Indian Penal Code at Police Station Nurmehal, District Jalandhar (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise dated 23.03.2018 (Annexure P/2).

The FIR has been registered on the statement of complainant-Pooja Sharma on the allegations of beating and injuring the complainant by the accused-petitioners at her home. As per the version of the complainant in the FIR that petitioner No.1 herein had uploaded wrong photographs of the complainant on the face-book, thereby outraged her modesty and she had lodged a complaint in this regard in the police and the attack on the

complainant by the petitioners-accused was for the same reason. 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 trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report dated 19.05.2018 has been received from Judicial Magistrate First Class, Phillaur, 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 Senior Deputy Advocate General, Punjab, on instructions from the Investigating Officer and admit 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. The learned counsel for the complainant-respondent No.2 also raised no objection to the quashing of the FIR in view of the compromise entered into between the parties.

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 **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and FIR No.18 dated 27.02.2017 registered under Sections 452, 354, 323, 506, 34 of Indian Penal Code at Police Station Nurmehal, District Jalandhar (Annexure P/1) and all subsequent proceedings arising therefrom are quashed.

The petition stands disposed of.

July 04, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No