

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

Crl. Misc. M-17771 of 2018 (O&M)  
Date of Decision: July 24, 2018

Gurjant Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Navjot Singh, Advocate  
for the petitioners.

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

Mr. Ruhani Chadha, Advocate  
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.246 dated 12.12.2017 registered under Sections 323, 354-B of Indian Penal Code and Sections 3 & 4 of SC and ST (Prevention of Atrocities) Act at Police Station Dharamkot, District Moga (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-Paramjit Kaur on the allegations that when she went to the house of the accused-petitioner to get money, he started using abusive language against her and also tore her clothes. 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 has been received from Judicial Magistrate First Class at Moga, 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 State counsel, on instructions from the Investigating Officer and learned counsel for complainant-respondent No.2 admit the factum of compromise and submit 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 **Narinder Singh and others vs. State of Punjab and**

**another, (2014) 6 SCC 466**, this petition is allowed and FIR No.246 dated 12.12.2017 registered under Sections 323, 354-B of Indian Penal Code and Sections 3 & 4 of SC and ST (Prevention of Atrocities) Act at Police Station Dharamkot, District Moga and all subsequent proceedings arising out of the same are quashed qua the petitioner(s) herein.

The petition stands disposed of.

**July 24, 2018**

*vijay saini*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
Yes/No