

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

**CRM-M No. 18203 of 2017
Date of Decision:-24.09.2018**

Sanjay Adhana and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kamal Chaudhary, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Ankur Jain, 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.323 dated 28.12.2014, under Section 354 IPC, registered at Police Station Kurukshetra, District Kurukshetra (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- on the allegations that the accused-petitioners after consuming liquor at public place forcibly tried to enter her room. 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 Kurukshetra, 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 Assistant Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for the 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.323 dated 28.12.2014, under Section 354 IPC, registered at Police Station Kurukshetra, District Kurukshetra (Annexure P/1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

The petition stands disposed of.

September 24, 2018
Vijay Asija

(**JAISHREE THAKUR**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No