

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

1. CRM-M-1978-2018

Kulwinder Kaur & others

...Petitioners

Versus

State of Punjab & others

...Respondents

2. CRM-M-1932-2018

Jatinder Singh @ Mintu & others

...Petitioners

Versus

State of Punjab & others

...Respondents

Date of decision: 14.03.2018

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sarabjit Singh, Advocate
for the petitioners in CRM-M-1978-2018;
for respondents No. 2 and 3 in CRM-M-1932-2018.

Mr. Gurjinder Singh Thind, Advocate
for the petitioners in CRM-M-1932-2018;
for respondents No. 2 and 3 in CRM-M-1978-2018.

Mr. A. S. Sandhu, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same incident.

These petitions have been filed under Section 482 of the Code

of Criminal Procedure seeking quashing of FIR No. 27 dated 22.02.2016, under Sections 326, 323, 452, 506, 148 and 149 of the IPC as well as its cross version in DRR No. 29 dated 17.03.2016, under Sections 326, 324, 354, 380, 452, 506, 148 and 149 of the IPC, both registered at Police Station Kambo, Amritsar (Rural) and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

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, two separate reports have been received from the JMIC, Amritsar, stating therein 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 Additional Advocate General, Punjab, on instructions from the Investigating Officer, and learned counsel for the rival parties 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 *Narinder Singh & others vs. State of Punjab & another, (2014) 6 SCC 466*, these petitions are allowed and FIR No. 27 dated 22.02.2016, under Sections 326, 323, 452, 506, 148 and 149 of the IPC as well as its cross version in DRR No. 29 dated 17.03.2016, under Sections 326, 324, 354, 380, 452, 506, 148 and 149 of the IPC, both registered at Police Station Kambo, Amritsar (Rural) and all subsequent proceedings arising out of the same are quashed qua both the sets of petitioners herein.

14.03.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No