

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

Crl. Misc. M- 20037-2018 (O&M)
Date of Decision: 03.08.2018.

Gurcharan Singh and others

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Harchand Singh Batth, Advocate
for the petitioner(s).

Ms. Seena Mand, DAG, Punjab

Mr. Gaurav Kalsi, Advocate
for respondent Nos. 2 to 4.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.38 dated 24.03.2017 registered under Sections 326, 324, 452, 323, 336, 148, 149 of IPC and 25, 27 of the Arms Act at Police Station Kulgari, District Ferozepur (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise dated 19.3.2018 (Annexure P/4).

The FIR has been registered on the statement of complainant-Satnam Singh, Respondent No.2 on the allegations that the accused-petitioners herein have given beatings to the respondents at their house with weapons and also fired gunshots while leaving the house. 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 29.05.2018 has been received from Judicial Magistrate First Class at Ferozepur forwarded by the District & Sessions Judge, Ferozepur 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 Deputy Advocate General, Punjab, 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.38 dated 24.03.2017 registered under Sections 326, 324, 452, 323, 336, 148, 149 of IPC and 25, 27 of the Arms Act at Police Station Kulgari, District Ferozepur and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

August 03, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No