

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

Crl. Misc. M- 23479 of 2018 (O&M)

Date of Decision: 27.09.2018

Jaspal Kaur and another

..... Petitioners

versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jaswinder Singh Grewal, Advocate
for the petitioners.

Ms. Rajni Gupta, DAG, Punjab.

Mr. Piyush Sharma, Advocate for respondents No.2 and 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.61 dated 14.04.2017 (Annexure P/1), registered under Sections 363, 366-A of Indian Penal Code at Police Station City-I Abohar, Tehsil Abohar, District Fazilka and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/2).

The FIR has been registered on the statement of complainant- Rajwinder Kaur on the allegations that her minor daughter namely Jyoti Rani had been taken away by their neighbour Manna Singh son of Channa Singh in connivance with his mother, with the allurements of marriage. Now the parties have arrived at a compromise.

Keeping in view the fact that the parties have entered into a

compromise, they were directed to appear before the Illaqua Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Sub Divisional Judicial Magistrate, Abohar 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 respondents No.2 and 3 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 Gian Singh Versus State of Punjab and another, 2012(4) RCR (Crl.) 543 and Narinder Singh and others Versus State of Punjab and another,

2014(6) SCC 466, this petition is allowed and FIR No.61 dated

14.04.2017(Annexure P/1), registered under Sections 363, 366-A of Indian Penal Code at Police Station City-I Abohar, Tehsil Abohar, District Fazilka and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

27.09.2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No