

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

Crl. Misc. M-24468 of 2016 (O&M)
Date of Decision: July 09, 2018

Kuldeep Kumar and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ramandeep Singh, Advocate for
Ms. Manpreet Kaur, Advocate
for the petitioners.

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

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of DDR No.27 dated 13.03.2014, registered under Sections 323, 506, 34 of Indian Penal Code in FIR No.33 dated 13.03.2014 registered under Sections 452, 323, 354, 506, 34 of Indian Penal Code at Police Station Bahaw Wala, Tehsil Abohar, District Fazilka (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/3).

The FIR has been registered on the statement of complainant-Harjit Singh on the allegations that the accused-petitioners entered their house armed with weapons and gave beatings to them. 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 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 State counsel, on instructions from the Investigating Officer admits to the factum of compromise and submits 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 DDR No.27 dated

13.03.2014, registered under Sections 323, 506, 34 of Indian Penal Code in FIR No.33 dated 13.03.2014 registered under Sections 452, 323, 354, 506, 34 of Indian Penal Code at Police Station Bahaw Wala, Tehsil Abohar, District Fazilka and all subsequent proceedings arising out of the same are quashed qua the petitioner(s) herein.

The petition stands disposed of.

July 09, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No