

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

Crl. Misc. M-24616 of 2018 (O&M)

Date of Decision: October 01, 2018

Prem Kumar and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Manjari Joshi, Advocate
for the petitioners.

Mr. Randeep Khaira, AAG Punjab.

Ms. Ramneeq Kaur, 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.203 dated 08.06.2017 registered under Sections 323, 354, 34 of Indian Penal Code (offence under Section 354-B of IPC added vide order dated 03.08.2017 while framing charge by Ld. SDJM, Phillaur) at Police Station Phillaur, District Jalandhar (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-Nisha on the allegations that the accused persons came to her house and dragged her in the street and also tore her shirt and gave slaps to her. 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 Phillaur, 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 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.203 dated 08.06.2017 registered under Sections 323, 354, 34 of Indian Penal Code (offence under Section 354-B of IPC added vide order dated 03.08.2017 while framing charge by Ld. SDJM, Phillaur) at Police Station Phillaur, District Jalandhar and all subsequent proceedings arising out of the same are quashed qua the petitioner(s).

The petition stands disposed of.

October 01, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No