

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(243)**

**CRM M-25078-2017
Decided on: March 08, 2018.**

SUKHWINDER SINGH

.... Petitioner

Versus

STATE OF PUNJAB & ANOTHER

..... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Munish Garg, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. Advocate General, Punjab.

JAISHREE THAKUR, J. (Oral)

In this petition, the petitioner, who is an accused in F.I.R. No. 72, dated 17.09.2015, under Section 352, 354, 354(A)(1) of the Indian Penal Code and Section 8 of the POCSO Act, registered at Police Station Rureke Kalan, District Barnala, (Annexure P-1) has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

The aforesaid FIR was registered on the statement of respondent No.2/complainant-Sandeep Kaur under the above said Sections.

However, now with the intervention of respectable persons, the dispute has been amicably settled between the parties and they have entered into a compromise.

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, a report has been received from Addl. District & Sessions Judge, Barnala, vide report dated 23.02.2018 stating 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 Addl. Advocate General, Punjab, on instructions from the Investigating Officer, and learned counsel for respondent No.2 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*, this petition is allowed and F.I.R. No. 72, dated 17.09.2015, under Section 352, 354, 354(A)(1) of the Indian Penal Code and Section 8 of the POCSO Act, registered at Police Station Rureke Kalan, District Barnala, (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

March 08,2018
tarun sahni

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No