

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

**CRM-M-26404-2017 (O&M)
Date of decision: 10.01.2018**

Kuldeep Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Lajpat Sharma, Advocate,
for the petitioners.

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

Mr. Rishu Nandan, 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. 34 dated 25.06.2017, under Section 306 of the IPC, registered at Police Station City Banga (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise entered into between the parties.

In brief, the facts of the case are that complainant had got lodged the instant FIR against the petitioners under shock and grief when her daughter died. However, she has given an affidavit Annexure P-2 to the extent that the deceased ingested some poisonous substance at her house.

Keeping in view the fact that the parties have compromised the matter, they were directed to appear before the trial Court for getting their statements recorded in support of the compromise. In pursuance of the

direction, a report in has been received from the the Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar 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. Further as per the report submitted by the SHO, Police Station City Banga no other FIR than the instant one has been registered against the petitioner.

Mrs. Anju Arora, learned Addl. Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the respondent No. 2 admit 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 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 (Cr.) 543*, this petition is allowed and FIR No. 34 dated

25.06.2017, under Section 306 of the IPC, registered at Police Station City
Banga (Annexure P-1) and all subsequent proceedings arising out of the
same are quashed qua the petitioner.

The petition stands disposed of.

10.01.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

No.
No.