

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

Crl. Misc. M- 28884-2018 (O&M)

Date of Decision: 04.09.2018

Manpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tarundeep Kumar, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

Mr. Sanjeev Manhas, 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 criminal complaint No.426 dated 05.11.2015 (Annexure P/1) filed under Sections 323, 354, 354-B, 452 & 506 of Indian Penal Code pending in the Court of JMIC, Rupnagar and summoning order dated 26.09.2017 (Annexure P/2) and all proceedings arising therefrom in view of the compromise dated 25.05.2018 (Annexure P/3).

The aforesaid criminal complaint was lodged on the statement of complainant-respondent No.2, on the allegations that the accused-petitioner harassed, abused, threatened and manhandled the complainant-respondent No.2. 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 Rupnagar, 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 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 criminal complaint No.426 dated 05.11.2015 under Sections 323, 354, 354-B, 452 and 506 of Indian Penal Code pending in the court of JMIC, Rupnagar and consequently summoning order dated 26.09.2017 and all proceedings arising out of the same are quashed qua the petitioner.

The petition stands disposed of.

September 04, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No