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

CRM-M No.30149 of 2016

Date of Decision: January 17, 2018

Gurdeep Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Harkanwar Jeet Singh, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab
for respondent No.1-State.

Mr. Puneet Pali, Advocate for
Mr. Amit Goyal, Advocate
for respondents No.2 and 3.

LISA GILL J. (ORAL)

Prayer in this petition is for quashing of FIR No.30 dated 31.03.2016 under Sections 363, 366 and 511 IPC registered at Police Station Sarabha Nagar, District Ludhiana on the basis of compromise arrived at between the parties (Annexure P-2).

It is submitted that the abovesaid FIR was registered at the instance of respondent No.2 due to certain misunderstandings between the parties. However, with the intervention of respectables, the matter has been amicably resolved. The terms and conditions of settlement were reduced into writing (Annexure P-2).

The victim/respondent No.2 it is informed has attained majority, her date of birth being 28.03.1999.

Pursuant to order dated 05.05.2017, the parties appeared before the learned Additional District & Sessions Judge, Ludhiana and their statements were recorded on 03.07.2017. Respondents No.2 and 3 stated that the matter has been amicably resolved between the parties out of their own free will and consent. Statement of the accused in respect of the settlement was recorded as well.

As per report dated 04.07.2017 received from the learned District & Sessions Judge, Ludhiana, satisfaction is expressed that compromise between the parties is genuine, arrived at out of the free will of the parties. The petitioner is not reported to be a proclaimed offender.

Learned counsel for respondents No.2 and 3 reaffirms and verifies the factum of settlement between the parties. It is reiterated that respondents No.2 and 3 have no objections whatsoever to the quashing of the aforementioned FIR against the petitioner.

Learned counsel for the State, in view of the peculiar circumstances of the case has not raised any serious objections to the quashing of this FIR.

In ***Kulwinder Singh and others versus State of Punjab and another*** 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.

Keeping in view the facts and circumstances of this case, it

would be in the interest of justice to quash the abovesaid FIR as no useful purpose would be served by continuance of the present proceedings. It will merely lead to wastage of precious time of the court and would be an exercise in futility.

This petition is, thus, allowed and FIR No.30 dated 31.03.2016 under Sections 363, 366 and 511 IPC registered at Police Station Sarabha Nagar, District Ludhiana on the basis of compromise (Annexure P-2) are, hereby, quashed.

January 17, 2018

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**(LISA GILL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No