

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

Crl. Misc. M-29653 of 2017 (O&M)

Date of Decision: March 01, 2018

Harpal Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.S. Momi, Advocate
for the petitioners.

Mr. A.S. Sandhu, Addl. AG Punjab.

Mr. H.S. Sandhu 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.159 dated 02.07.2017 registered under Sections 363, 366-A, 120-B of Indian Penal Code at Police Station City Rajpura, District Patiala (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise arrived at between the parties (Annexure P/2).

The FIR has been registered on the statement of complainant-Sukhdev Singh on the allegations that the accused-petitioners enticed away his daughter with the intention to marry Harvinder Singh. 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 Sub Divisional Judicial Magistrate at Rajpura, 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 to 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 **Gian Singh Versus State of Punjab and another, 2012**

(4) RCR (Cr.) 543, this petition is allowed and FIR No.159 dated 02.07.2017 registered under Sections 363, 366-A, 120-B of Indian Penal Code at Police Station City Rajpura, District Patiala and all subsequent proceedings arising out of the same are quashed qua the petitioner(s).

Let the passport of Harvinder Singh be released to him against proper receipt and identification.

The petition stands disposed of.

March 01, 2018

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No