

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

Crl. Misc. M- 2980 of 2017 (O&M)
Date of Decision: 13.9.2018

Gurwinder Singh @ Giddi and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Narinder S. Lucky, Advocate
for the petitioners.

Ms. Seena Mand, DAG Punjab.

None for respondents No.2 and 3.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 50 dated 17.3.2016 registered under Sections 363/366/120-B of Indian Penal Code at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom.

It is argued that the petitioner No.1 and the daughter of the complainant ran away and got married and thereafter filed Criminal Misc. M 11165 of 2016 seeking protection and a direction to the Senior Superintendent of Police, Tarn Taran, to ensure their safety. After the marriage the parties are residing happily together and, in fact, the complainant himself submitted an affidavit with the Investigating Agency

stating that he would have no objection in case the proceedings are the FIR are dropped.

Notice of motion was issued in the said matter and status report by way of affidavit of Satpal Singh, PPS, Deputy Superintendent of Police, Sub Division Goindwal Sahib, District Tarn Taran has been filed. In the said status report, it is stated that during the investigation, the complainant got his statement recorded before the Investigating Agency that he does not want any action to be taken against the petitioners and he and his family members are agreeable to the marriage that has been solemnized between petitioner No.1 and his daughter. He also stated that he would have no objection, in case the FIR is quashed.

I have heard learned counsel for the parties and have also perused the status report that has been filed by the Deputy Superintendent of Police. It is also informed to this Court that as on date, challan has not been presented, even though the FIR is dated 17.3.2016.

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 FIR No. 50 dated 17.3.2016 registered under Sections 363/366/120-B of Indian Penal Code at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom are quashed.

The petition stands disposed of.

13.9. 2018

prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No