

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

CRM-M-39933-2018 (O&M)

Date of Decision:18.12.2018

Balbir

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Sunil Polist, Advocate for the petitioner.

Mr. P.P. Chahar, D.A.G. Haryana.

Mr. Mohan Sharma, 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.30 dated 25.02.2015 registered under Sections 452, 323, 354 of Indian Penal Code at Police Station Sadar Kaithal and all subsequent proceedings arising therefrom in view of the compromise (Annexure P-2).

The FIR in question has been registered on the statement of the complainant that accused-petitioner has outraged her modesty and has also given beating to her. However, 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 directions, a report has been received from Additional Chief Judicial Magistrate, Kaithal, 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 respondent No.2-complainant 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 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 v. State of Punjab and another, (2014) 6 SCC 466**, this petition is allowed and FIR No.30 dated 25.02.2015 registered under Sections 452, 323, 354 of Indian Penal Code at

Police Station Sadar Kaithal and all subsequent proceedings arising out of the same are quashed.

The petition stands disposed of.

18.12.2018
rajeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No