

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

**CRM-M-39191-2017
Date of decision: 10.01.2018**

Amarjit Singh @ Deputy & others

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Surinder Kaur, Advocate
for the petitioners.

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

Mr. Gautam Thapar, 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 DDR No. 22 dated 22.05.2017, under Sections 323, 325, 341 and 34 of the IPC, registered at Police Station Bholath, District Kapurthala arising out of FIR No. 53 dated 16.05.2017 under Sections 452, 354, 323, 427, 148 and 149 of the IPC registered at the same police station, and all subsequent proceedings arising therefrom in view of the compromise dated 12.09.2017 (Annexure P-3) entered into between the parties.

The aforesaid DDR is a counter blast to the FIR No. 53 dated 16.05.2017 which was registered at the behest of the petitioners herein under Sections 452, 354, 323, 427, 148 and 149 of the IPC and has already been quashed by this Court by an order dated 15.09.2017 passed in

CRM-M-23705-2017 on the basis of the compromise entered into between the parties.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from JMIC at Kapurthala, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same appears to be genuine one.

Learned Addl. Advocate General, Punjab, on instructions from the Investigating Officer, and learned counsel for respondent No. 2 admit to the factum of compromise and submit that in case the parties have indeed settled their dispute, they would have no objection to the quashing of the instant DDR, in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the rival parties and 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 & others vs. State of Punjab & another, (2014) 6 SCC 466*, this petition is allowed and DDR No. 22 dated 22.05.2017, under Sections 323, 325, 341 and 34 of the IPC, registered at Police Station Bholath, District Kapurthala arising out of FIR No. 53 dated 16.05.2017 under Sections 452, 354, 323, 427, 148 and 149 of the IPC registered at the same police station and all subsequent proceedings arising out of the same are quashed qua the petitioners herein.

The petition stands disposed of.

10.01.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No