

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

Crl. Misc. M-42745 of 2018 (O&M)
Date of Decision: November 15, 2018

Vicky

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Bansal, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Hardeep Singh, Advocate for
Mr. S.K. Gupta, Advocate
for respondents No.2 to 4.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.661 dated 10.10.2016 registered under Sections 363, 366-A of Indian Penal Code at Police Station Model Town, District Panipat (Annexure P/1) and all subsequent proceedings arising therefrom in view of the compromise (Annexure P/5) including the order dated 01.07.2017 (Annexure P/2) declaring the petitioner as proclaimed offender.

The FIR has been registered on the statement of complainant-Pushpa on the allegations that the petitioner-accused has enticed away her daughter with the mala fide intention. 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 Chief Judicial Magistrate at Panipat, 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 respondents No.2 to 4 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 **Narinder Singh and others vs. State of Punjab and**

another, (2014) 6 SCC 466, this petition is allowed and FIR No.661 dated 10.10.2016 registered under Sections 363, 366-A of Indian Penal Code at Police Station Model Town, District Panipat and all subsequent proceedings arising out of the same are quashed qua the petitioner, including the order dated 01.07.2017 declaring the petitioner as proclaimed offender.

The petition stands disposed of.

November 15, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No