

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

CRM-M-43880-2018 (O&M)

Date of Decision: 17.12.2018

Wasim and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.S.K. Daaria, Advocate
for the petitioner Nos. 1 & 2.
(Petition qua petitioner Nos. 3 to 7 already stands withdrawn)

Mr.P.P. Chahar, DAG, Haryana.

None 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. 543 dated 15.08.2018 registered under Sections 498A, 406, 420, 120-B, 363, 366, 323, 506, 34 of Indian Penal Code and Section 25 of the Arms Act at Police Station Suraj Kund, Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise.

The instant petition stands withdraw qua petitioners No. 3 to 7.

At the time of issuing notice of motion it was contended that the matter was being pursued only under Sections 406, 498-A, 323, 506 read with Section 34 of Indian Penal Code and other Sections have been deleted.

The instant FIR was got registered by respondent No.2. 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 the Chief Judicial Magistrate, Faridabad, stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Mr.P.P. Chahar, learned DAG, Haryana on instructions from the Investigating Officer admits the factum of compromise and submit that 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. 543 dated 15.08.2018 registered under Sections 498A, 406, 420, 120-B, 363, 366, 323, 506, 34 of Indian Penal Code and Section 25 of the Arms Act at Police Station Suraj Kund, Faridabad (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners No. 1 & 2.

The petition stands disposed of.

17.12.2018

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes/No